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सं० 9] नई दिल्ली, शनिवार, मार्च 4, 1978/फाल्गुन 13, 1899
No. 9] NEW DELHI, SATURDAY, MARCH 4, 1978/PHALGUNA 13, 1899

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 24 जनवरी, 1978

कां०बा० 586.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए लोक सभा के लिए साधारण निर्वाचन के लिए 40-कटवा संसदीय निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री कृष्णदास चट्टोपाध्याय, श्यामसुन्दरपारा, पो० कालना, जिला बर्दवान, पश्चिमी बंगाल राज्य, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं।

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री कृष्णदास चट्टोपाध्याय को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान

परिवर्त के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पं० ड०/लो०सं०/40/77

पी० बी० वसु, प्रवर सचिव

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 24th January, 1978

S.O. 586.—Whereas the Election Commission is satisfied that Shri Krishnadas Chattopadhyay, Syamsundarpara, P.O. Kalna, District Burdwan, West Bengal State, a contesting candidate for general election to the Lok Sabha from 40-Katwa Parliamentary constituency, held in March, 1977 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Krishnadas Chattopadhyay to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-HP/40/77]

P. B. DUTTA, Under Secy.

New Delhi, the 6th February, 1978

S.O. 587.—In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the judgment of the High Court of Kerala dated 15 November, 1977, in Election Petition No. 5 of 1977.

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:

THE HONOURABLE MR. JUSTICE N. D. P.
NAMBOODIRIPAD.

Tuesday, the 15th November, 1977/24th Kartika 1899.

Election Petition No. 5 of 1977

PETITIONER:

S.C.S. Menon, Mathrusmarana, 30/1687, M. G. Road,
Cochin-16.

By Advs. M/s. Thampan Thomas & P. K. Behanan.

RESPONDENTS:

1. A. C. George, Ambat House, Edappally P.O., Ernakulam District.
 2. C. K. Balakrishnan, Chirayath House P.O. Aranattukara, Trichur.
 3. V. Raghvan Pillai, Valiyaveetil House, Irinjalakuda.
 4. P. D. Varkey alias Varkey Master, Puthanpally, Chengal P.O., Kalady.
- R1 by Advs. M/s. C. K. Sivasankara Panicker, M. Ramachandran, A. C. Jose, U. K. Ramakrishnan & T. K. Jayaram.

The Election Petition having been heard on 11-11-1977 in the presence of M/s. Thampan Thomas and P. K. Behanan Advocates for the petitioner and of M/s. C. K. Sivasankara Panicker, M. Ramachandran, A. C. Jose, U. K. Ramakrishnan & T. K. Jayaram Advocates for the 1st respondent and respondents 2 & 4 being absent and declared ex parte the Court on 15-11-1977 delivered the following:—

JUDGMENT

In the elections held to the Lok Sabha the petitioner and respondents 1 to 4 contested as candidates from the No. 1 Mukundapuram Parliamentary Constituency. The Returning Officer was the District Collector, Trichur. The symbols allotted to the petitioner and the respondents were respectively, "two leaves"; "cow and calf"; "balance"; "kuruvi" and "bicycle". The parliamentary constituency consisted of 7 assembly constituencies mentioned in paragraph 3 of the petition. The polling took place on 19-3-1977 and the counting was on 20-3-1977 at the centres mentioned in paragraph 4 of the petition. The 1st respondent was declared elected on the ground that he obtained the maximum number of votes, namely 225095 as against the votes obtained by the petitioner namely 220875. 8515 votes were rejected as invalid. According to the petitioner there were serious discrepancies in the counting. The ballot papers of both the assembly and parliamentary constituencies which were kept in one and the same box were sorted out from about 8.00 a.m. and the counting were arranged to be done at 15 tables. After sorting on the basis of colour, the votes for the Parliamentary constituency and those for the Assembly were bundled into 25 each and kept in a big barrel. The process of counting started at about 2.00 p.m. Six trays were

kept on each table, and the ballot papers given in bundles of 25 each were sorted out and given in favour of each candidate were put in separate trays, and one tray was for invalid votes. Thereafter each candidate's votes were counted and arranged into bundles of 50 each. According to the petitioner in various tables the bundles containing the votes in favour of the 1st respondent were only 45, while the bundles of the petitioner contained 55 votes. The result was an inflation of the votes obtained by the 1st respondent and a reduction from the votes actually obtained by the petitioner. This defect was pointed out by the counting agents of the petitioner to the counting supervisor at the proper time with no result. The counting supervisors were appointed on the basis of the choice made by the 1st respondent was a Minister of State for Industry and Civil Supplies in the Government of India, and also a leader of the then ruling party both at the centre and in the State of Kerala. The selection of counting officers and supervisors were made from a list given by an association called the N.G.O. Association owing allegiance to the Indian National Congress. Votes validly polled in the name of the petitioner were counted along with the 1st respondent's votes or were being rejected as invalid votes. The instructions given in the Handbook published by the Election Commission were not complied with. There was difference between the total votes counted for the Assembly constituencies and the parliamentary constituency; and a few instances are given in paragraphs 7 and 8 of the petition. Most of the rejected votes were really valid votes polled in favour of the petitioner. There were irregularities in the matter of counting and acceptance of postal votes, which number 1231. There were differences in the number noted in the relevant records. After entering the results in Form No. 20, the Returning Officer did not give sufficient time to the candidates to file objections thereby violating statutory provision as well as paragraph 22 of the Handbook issued by the Election Commission. At the time of counting votes there was failure of lighting arrangement in Vadakkekara, Angamaly and Perumbavoor and that opportunity was availed of for tempering with the bundles. There were thus many irregularities in counting of votes.

2. It is alleged by the petitioner that the 1st respondent was guilty of corrupt practices. Mala Assembly constituency was part of the relevant Parliamentary constituency. The Home Minister of Kerala State contested from Mala constituency. Both the 1st respondent and the Home Minister used their ministerial position in the election campaign. They transferred officers against government order No. G.O. (P) 3/77/Elec. dated 31-1-1977. The 1st respondent influenced Mahendra and Mahandra, Bombay, a jeep manufacturing company, to send eight jeeps for the election campaign and these jeeps were used in the constituency without any registration and without observing any regulation under the Motor Vehicles Act. Vehicles were procured by the 1st respondent from various governmental, quasi-governmental authorities and also from third parties to whom he promised to confer favours. Since Home Minister of the Kerala State was contesting from Mala Assembly constituency a large number of policemen were stationed there even during the election period and the opposite candidates were prevented from conducting public meeting and expressing their opinion freely. The police officers used to threaten the people who address in the meeting of the petitioner. Because emergency was in force even on the date of the election the opposition party workers could not carry out their election campaign whereas the government machinery was completely used by the 1st respondent. Many workers of the petitioner were threatened with detention under the MISA and one Sri M. N. P. Nair was one among those who were so threatened. In areas where Christians were in the majority pamphlets were published using the name of Rev. Dr. Joseph Kundukulam, the Bishop of Trichur. Pamphlets were published appealing to the voters not to vote for the petitioner. Foundation stones were laid in the name of companies for influencing the public, and the 1st respondent also gave money to the voters. In certain polling stations in Chalakkudy assembly constituency ballot papers were not issued to the parliamentary seats. The reliefs prayed for are:

- (1) to order a recounting of the votes polled by the respective candidates;
- (2) to order scrutiny of the votes polled including the invalid votes;

- (3) to declare that the petitioner has received the majority of the valid votes polled in the above-mentioned parliamentary constituency;
- (4) to set aside the election of the 1st respondent as he has adopted corrupt practices in the election; and
- (5) to declare that the election of the 1st respondent is invalid and void.

3. In answer to the summons from the court the 1st and 3rd respondents entered appearance. Respondents 2 and 4 were declared ex parte. The 1st respondent filed a written statement raising the following contentions. Since the petition has been filed not by the petitioner or his agent, there was no proper presentation and consequently, the petition is liable to be dismissed under section 86(1) of the Representation of the People Act, 1951 (hereinafter referred to as the Act). Another infirmity attached to the petition is that it does not comply with the requirements stipulated under the proviso to section 83(1) of the Act. The maintainability of the petition is challenged also on the ground that since the commission of corrupt practice is alleged in the petition, this court has no jurisdiction to entertain or decide the petition in view of article 103 of the Constitution. In view of the amendment of articles 102 and 103 of the Constitution, sections 98 to 100 of the Act are no longer in force and that question cannot be decided by this court in view of article 131(A) and 228(A) of the Constitution. Counting of votes for the Kodungalloor Assembly constituency was conducted at Government School, Kodungalloor and not at Government Boys' School, Alwaye as stated in the petition. It is correct that counting took place on 20-3-1977. The 1st respondent was declared elected at 11.15 A.M. on 21-3-1977 and not in the early morning of 21-3-1977. There was no discrepancy in the counting of votes as a result of improper arrangement and malpractices as wrongly and vaguely alleged in paragraph 6 of the petition. The averments in paragraph 6 of the petition are denied, and paragraph 11 of the written statement sets out as to what transpired. The 1st respondent denies the allegation that on various tables the bundles which were made out in favour of this respondent consisted of only 45 ballot papers whereas the bundles made in favour of the petitioner contained 55 ballot papers and more. The allegation that this irregularity was pointed out by the concerned counting agent to the counting supervisor is absolutely false. The 1st respondent was not in a position to influence the counting staff. The 1st respondent was Minister of State for Civil Supplies and Co-operation and not for Industries and Civil Supplies. The respondent was not the leader of the then ruling party in the centre and the ruling front in Kerala. The 1st respondent is not aware that the counting staff was appointed from among the members of the N.G.O. Association. The 1st respondent is not aware of any association of the N.G.Os led by the Indian National Congress. The allegation that the ballot papers, which were validly marked for the petitioner were put in favour of the 1st respondent or among invalid votes is false. The allegation that the Returning Officer who sat at the central table never cared to have a random check of the ballot papers is denied. The instructions contained in the Handbook published by the Election Commission of India were strictly complied with by the officers. The allegations in paragraph 7 of the petition are incorrect. The discrepancy, if any, has not affected the results of the election. The allegations in paragraph 8 are misleading. The allegation in paragraph 9 of the petition that the petitioner's valid votes were rejected and included in invalid votes is denied. No complaint of any sort had been raised at the time of scrutiny of the ballot papers. The allegation that the postal votes in Vadakkekkara were not counted is incorrect. After the results were announced by the Returning Officer there was no motion by anybody for a recount. The petitioner is therefore precluded from claiming any relief for recount. There was no violation of any statutory provision by the Returning Officer. The instructions contained in paragraph 22 of the Handbook were complied with. There was no failure of current as alleged in the petition. The allegations that the counting was irregular and the figures were brought out irregularly and election result was wrongly declared are all denied. The 1st respondent did not indulge in any corrupt practice. The allegation that the 1st respondent and the then Home Minister used their power and influence as Ministers

for election campaign is incorrect and is denied. There was no transfer of the favourite officers of the 1st respondent to his constituency. The 1st respondent is not aware of the circular referred to in paragraph 15 of the petition and at any rate the circular has no relevance at all. The allegation that the 1st respondent used vehicles and other conveyance provided by the Government is denied. The 1st respondent was using only private vehicles during his election campaign and he did not use any official vehicle. The 1st respondent had no connection with Mahendra and Mahendra, Bombay, and the allegation that the 1st respondent used in his election campaign 8 jeeps sent by that company is denied. No vehicle which did not bear registration number or violating any provision of the Motor Vehicles Act was used by the 1st respondent. The 1st respondent did not procure vehicles by influencing the governmental or quasi-governmental institutions. The allegation that the conveyance arranged by the opposite candidate for the movement of their workers on the election day were commanded by the police officers on the previous day of the election with a view to deprive his election workers and polling agents and such other persons connected with the opposite candidates to move around is denied. There was no gathering of large number of policemen during the time of election campaign in the Mala constituency wherein the then Home Minister was contesting. The allegation that few of the opposition party workers were also taken into custody by police which created a fear in the minds of the election workers of the opposition candidates is not true. The allegations in paragraph 16 of the petition are denied. Though emergency was in force at the time of the election, the election was free and fair. Campaign was also completely free. The allegation that one Sri M. N. P. Nair was threatened for being the petitioner's worker is denied. The 1st respondent did not campaign on communal basis. It is the petitioner who caused to issue bit notices and newspaper advertisements using the name of Rev. Joseph Kundukulam, the Bishop of Trichur, to canvass votes in his favour. There was an advertisement in the Mathrubhumi Daily dated 16-3-1977. "Express", a newspaper printed and published from Trichur contained appeals in the name of communal organisations to vote for the petitioner and against the 1st respondent. The 1st respondent, therefore, reserves to file a petition under section 97 of the Act for recrimination against the petitioner. The allegation that pamphlets were issued appealing the voters not to vote for the petitioner stating that the government would favour the people with some benefits, with a view to create an impression among the voting masses is denied. It is the petitioner who sought help of communal organisations and religious leaders. The allegation that money was given to the voters has no basis. The allegation in paragraph 18 is denied. The allegation in paragraph 19 of the petition that serial numbers of the ballot papers issued at the time of polling and at the time of counting differed is denied. The allegations contained in paragraph 20 of the petition are denied. The election as well as the counting of votes were done properly and in accordance with the rules. The petitioner is not entitled to any relief and the petition is liable to be dismissed with costs to the 1st respondent.

4. The 3rd respondent, who appeared in person filed a written statement in Malayalam. It is stated that he was contesting the election as an independent scrupulously following the Gandhian principles. In the election excepting himself the other candidates were alleged to have used vehicles indiscriminately for transporting voters and that the other respondents used unfair means to win over the electorate. The 1st respondent was the Minister in the Centre and he used that position in the election. The petitioner is a Trade Union leader and in that capacity he had plenty of money and he bribed the voters. The 2nd respondent Sri C. K. Balakrishnan also used vehicles to transport voters. The 3rd respondent had no election office or election workers. The prayer is to set aside the election and order a fresh poll. Apart from filing a written statement finding fault with all other candidates, the 3rd respondent did not participate in the further proceedings relating to the trial of this election petition.

5. After discussing with both sides the following issues were raised:

1. Whether the petition is maintainable?

2. Whether the election is vitiated by the corrupt practices alleged in the petition?
3. Were there counting irregularities as alleged in the petition, and if so, whether the irregularities have materially affected the result of the election?
4. Regarding reliefs and costs.

6. Issue No. 1. The maintainability of the petition was challenged by the 1st respondent on the ground that the requirements of section 83 of the Act have not been complied with. In challenging the election of the 1st respondent the petitioner has also alleged certain corrupt practices; but the proviso to section 83(1) of the Act has not been complied with. So, even before the trial commenced, the petitioner conceded that allegations regarding corrupt practices are not pressed. Non-compliance with any provision of Section 83 is not a ground for dismissal of the election petition under section 86 of the Act. Therefore, the petition is maintainable to that extent. The issue is answered accordingly.

7. Issue No. 2. This issue relates to the various corrupt practices alleged in the petition. As referred to earlier it was represented by the learned counsel for the petitioner that grounds regarding corrupt practices are not pressed. In fact, no evidence worth the name has been adduced also at the time of the trial. Since the petitioner is not pressing the grounds regarding corrupt practices, this issue is answered against the petitioner and I hold that the election is not vitiated by any corrupt practice.

8. Issue No. 3. The only ground that survives for consideration is whether this Court must interfere with the election of the 1st respondent on the ground of irregularities in the counting of votes as alleged by the petitioner. The learned counsel for the petitioner at the time of final hearing urged only four points, and they are: (1) After counting, the votes secured by the each candidate were bundled each bundle containing 50 ballot papers. According to the petitioner, bundles containing votes polled in his favour contained 55 ballot papers where as in the bundles of the 1st respondent there were only 45 ballot papers; (2) there was no proper scrutiny of doubtful votes; (3) there was no random checking by the concerned authorities; and (4) there were differences between the number of ballot papers issued at the time of polling and the number actually found at the time of counting. Another difference was that in the same station there was difference between the total number of votes polled for the Assembly and the total number of votes polled for the Parliament in the same sector.

9. Of the aforesaid points, grounds Nos. 1 to 3 are the main aspects to be considered in this case. Before examining the evidence tendered by the petitioner in support of these points, I feel that it may be necessary to state certain facts emerging from the evidence of P.W. 20, the petitioner. The Parliamentary constituency concerned included seven Assembly constituencies, viz., (1) Chalakkudy, (2) Mala, (3) Irinjalakuda, (4) Angamaly, (5) Vadakkekara, (6) Kodungalloor, and (7) Perumbavoor. The polling as well as the counting of both the Assembly ballot papers and the Parliamentary ballot papers were done simultaneously on the 19th and 20th of March, 1977 respectively. According to the case put forward by the petitioner, in all the counting places two grave errors were committed by the counting staff. After the sorting and counting of the ballot papers, the votes secured by each of the candidates as well as the votes treated as doubtful were separately bundled and each of such bundle was presumed to consist of 50 ballot papers. According to the petitioner, in the bundles containing his votes, instead of 50, 55 ballot papers were placed, and correspondingly in the bundles containing votes secured by the 1st respondent only 45 ballot papers were tied together. This practice has the simultaneous effect of inflating the votes actually secured by the 1st respondent and of reducing the votes actually secured by the petitioner. This error, according to the petitioner, was committed in all counting centres. Similarly, the improper scrutiny of doubtful ballot papers causing injury to the petitioner also took place in all the counting centres. If the allegation of the petitioner that these two irregularities have been committed in all the counting places, and in all the counting tables, is to be accepted, that would necessarily mean that there was some previous conspiracy between the counting staff to help the 1st respondent and

also to cause injury to the petitioner. There is a vague allegation in the petition that the officers included in the counting staff mainly belonged to an association called N.G.O. Association, which owes allegiance to the Congress Party, of which the 1st respondent was the candidate for the concerned election. But no evidence worth the name has been adduced to substantiate the case that any of the counting staff had any bias either in favour of the 1st respondent or against the petitioner. The petitioner while giving evidence as P.W. 20 deposed that after the final counting he secured the majority of votes in the assembly constituencies of Angamaly, Perumbavoor, Chalakkudy and Vadakkekara. The margin also is by no means insignificant because according to the petitioner he got about 12,000 votes in excess of the votes obtained by the 1st respondent in those four constituencies. It would thus appear that the tables were turned against him when the votes in the remaining three Assembly constituencies were counted. If there was any general conspiracy or understanding between the polling officers in all these Assembly constituencies it is not easy to believe that the petitioner could have obtained such a substantial majority in the aforementioned four constituencies. A weak explanation offered by the petitioner regarding that aspect is that even in those Assembly constituencies where he got the majority, the difference would have been much more than 12,000 had there not been any mistake committed by the counting officers. I am not impressed by that suggestion at all. There is yet another aspect which has also some relevancy. P.W. 20 deposed that after the declaration of the results there was a meeting of his counting agents. According to P.W. 20 in that discussion only the counting agents in the Vadakkekara, Angamaly and Chalakkudy segments of the concerned Parliamentary constituency were called in. Those are constituencies where the petitioner obtained the majority of votes. So normally if there was foul-play it should have been in the constituencies where the 1st respondent obtained the majority of votes. There is no explanation by the petitioner as to why the counting agents engaged by him in the assembly constituencies where the petitioner lost were never called in for any discussion. Yet another significant circumstance is that no petition for recounting was given in any place. The Returning Officer for the Parliamentary Constituency concerned was the District Collector, Trichur, whose office is in the Civil Lines, Ayyanthole. P.W. 20 deposed that he reached the Collector's Office at 12 O. Clock in the night on the 20th of March, 1977 and that he found only one clerk in that office. That clerk is alleged to have told the petitioner that the results have been announced. The petitioner therefore came back immediately, and according to the petitioner, he did not go to Trichur a second time. It is not disputed that the results of the concerned election were announced by the Returning Officer, the District Collector, only by about 11.00 a.m. on 21-3-1977. P.W. 20 deposed that he reached his central election office at the Chengamanad by round about 10.30 or 11.00 in the night of the 20th and that he had given instructions to his counting agents at various counting places to inform him when the ballot papers and other relevant records were despatched from the respective counting stations to Trichur. P.W. 20 deposed that he did not receive any intimation from any counting centre and that he went to Trichur by about mid-night because of that reason. If the petitioner did not receive any instructions from any one of his counting agents regarding the completion of the counting at any station and the subsequent despatch of the election papers to Trichur, what normally he could have done was to make an enquiry at the counting centres. That apart, at least next morning he could have got the information that the Returning Officer has not made any declaration. P.W. 20 deposed that he had not appointed any agent to watch the proceedings before the Returning Officer at Trichur. P.W. 20 further admitted that he had never instructed any one of his agents to file a petition for recount before the Assistant Returning Officer for the Parliamentary constituency in each of the counting place. It is in the background of these facts and circumstances that the other items of evidence adduced by the petitioner have to be appreciated.

10. Broadly stated, the evidence adduced by the petitioner consists of the deposition of the concerned Returning Officers and also the counting agents of the petitioner, who scrutinised the counting at the 7 counting places. The allegation regarding manipulation in the bundles of ballot papers may be examined first. In the petition there is a distinct averment that in the petitioner's bundles 55 ballot

papers were tied together, whereas in the 1st respondent's bundles only 45 ballot papers were included. As far as the Chalakkudy Parliament segment is concerned the evidence adduced in this petition consists of the depositions of P.W. 9, P.W. 12 and P.W. 3, the Assistant Returning Officer. Since all the counting agents of the petitioner who have been examined as P.Ws. 8 to 19 more or less give the same version in the witness box regarding all the allegations, the value of the evidence of each one of these witnesses may be examined while considering this point. P.W. 9 deposed that the petitioner's bundles contained more than 50 ballot papers while the 1st respondent's bundles contained less than 50 ballot papers. He deposed further that valid votes polled in favour of the petitioner were regarded as doubtful votes. The other item spoken to by him is the difference in the number of the ballot papers counted as between the parliamentary ballot papers on the one part and the assembly ballot papers on the other in the concerned assembly segment of the parliamentary constituency. He admitted that apart from making an oral complaint he did not give any written complaint. According to him he gave a written objection, and it was returned. Again, regarding the difference in the number of parliament votes and the assembly votes he gave another written complaint to the Returning Officer, which was not accepted. P.W. 12 also deposed practically in the same terms, although he would add that he did not give any written complaint. Apart from being interested, the testimony of these two witnesses does not show the actual number of votes included in the bundles of the petitioner and the 1st respondent respectively. P.W. 12 says that he suspected foul-play because of the size of the bundles in the sense that the petitioner's bundles appeared to be bigger. The Assistant Returning Officer for the Parliament segment at Chalakkudy was P.W. 3. He denied the suggestion that the petitioner's bundles contained more than 50 ballot papers while those of the 1st respondent contained less than 50 ballot papers. P.W. 20, the petitioner, deposed that he pointed out to the Returning Officer 12 bundles for recounting. The reason spoken to by him is significant. He deposed: "Rondom checkingsu vendi choondikkanikukayanu cheythathu. Allathe atil Foil Kooduthalum Kuravum condennulla vasthuthayolla choondikkani chathu". Even at this stage I may note that an identical version is given regarding 10 bundles at Mala, 8 bundles at Irinjalakkuda and 15 bundles at Angamaly. If the petitioner's counting agents conveyed to him doubt regarding the placing of ballot papers in excess of 50 or less than 50 in the respective bundles, indeed that would have been the main ground upon which he could have insisted upon a recount of the votes. I am not satisfied that the petitioner has succeeded in showing that there was any error in the number of ballot papers bundled by the counting, authorities at Chalakkudy segment of the concerned parliamentary constituency.

11. The position obtained in all other centres also is practically the same. Regarding Mala segment of the parliamentary constituency P.W. 14 and P.W. 15, two counting agents of the petitioner were examined. Both these witnesses repeated the usual story regarding the bundling of ballot papers and also the rejection of valid votes polled in favour of the petitioner as invalid. P.W. 15 also spoke regarding absence of seal in one ballot box. He is alleged to have given a written complaint. Originally he deposed that his candidate was there when the written complaint was given; but in the next breath he would say: "Perathi eazhuthi Kodukkumpol sthenerthy illayirunnu". This witness also deposed certain other facts. According to him he was a polling agent as well, and after the polling was over he did not affix his seal in the ballot box. Regarding the breaking of the seal of the box he detected, he deposed that he does not know from which polling booth the particular box was received. He was then asked whether he knows the number of votes actually polled and the number actually found in the disputed box when the box was opened and the ballot papers were counted. He pleaded ignorance about this figure. He admitted that he does not know how many ballot papers were issued or how many ballot papers were actually found at the time of counting. I may note in this connection that he is the only witness, who speaks about the tampering of ballot box and the holowness of that version is clear from the cross-examination of this witness. Apart from being interested, the evidence of P.Ws. 14 and 15 is vague and it cannot be accepted.

12. Regarding Irinjalakkuda segment of the concerned parliamentary constituency two counting agents of the peti-

tioner were examined as P.Ws. 10 and 11, while the Assistant Returning Officer of the concerned Parliament segment was examined as P.W. 4. Here, again, both these witnesses deposed to the identical facts, viz., the difference of 30 votes as between the assembly ballot papers and the parliamentary ballot papers included in the bundles of the petitioner and of the 1st respondent, and also the rejection of valid votes of the petitioner as invalid. According to both these witnesses, the difference in the number of votes was noted by them because when counting was over result was recorded on a black-board. P.W. 4 was the Assistant Returning Officer at Irinjalakkuda. He deposed that normally the number of the ballot papers for the parliament and the assembly may be equal, but sometimes the polling staff will also issue the ballot papers for exercising their franchise in the same polling station. There were 75 polling booths in the concerned segment and in each polling station there were 6 officers. It was, therefore, not essential that the number of ballot papers issued for the parliament and the assembly must be equal. He deposed that doubtful votes were scrutinised and rejected after being shown to the agents of the candidates. He also deposed that he conducted the test verification and he did not come across any bundle containing more than 50 or less than 50 ballot papers. He further deposed that nobody complained to him regarding the counting of votes. I find no reason to disbelieve the evidence of P.W. 4, and I reject the evidence of P.Ws. 10 and 11.

13. Regarding the counting at Kodungalloor, P.W. 16 and P.W. 17 were examined by the petitioner. P.W. 16 also gave the usual version of the difference in the number of ballot papers in the respective bundles. According to him he forced the supervisor to recount one bundle. According to him there was the difference of 52 ballot papers as between the number of parliamentary votes counted and the assembly votes counted. The reason for the change in number, according to him, was that the ballot boxes were brought from the polling stations in the night and probably some fraud might have been perpetrated. He also deposed regarding the failure of current for half-an-hour. It is to be noted that these two versions are not spoken to by any other witness or even the petitioner. He deposed that he complained to the presiding officer four times and that in one box the difference noted was 49. He admitted that 49 Kuravu Kandathu Parliamantileyan Assembly yileyanu kannu parayasavilla". According to him the doubtful votes were not scrutinised separately, but he would add that it was examined by the Assistant Returning Officer. He admitted that he was not there when the Returning Officer scrutinised the doubtful votes. Regarding that matter his version is "canikku serittrivilla. Paranju Kettathanu". This witness gave a further story that a written complaint was given by him to the Returning Officer. The complaint was written by another agent attached to another table because P.W. 16 could not write properly. He is alleged to have handed over that complaint to the agent attached to the table of the Returning Officer. The agent whom he mentioned was examined as P.W. 17, and P.W. 17 deposed that he did not receive any written complaint from any other agent. Further P.W. 16 admitted that he cannot say how many valid votes of the petitioner were treated as invalid. P.W. 17 deposed that the Returning Officer examined only 27 doubtful ballot papers. He was asked about their probable number and he replied: "Doubtful voteste Kasakku Vyakthamayi Parayasavilla". He was asked whether there was account regarding doubtful votes. His answer is "vjale Kandittilla Eathra Kettukalli vyathiasam vannennu eansikkarivilla". According to him he gave a written complaint. As against this, there is the evidence of P.W. 5, the Assistant Returning Officer of the Kidungalloor segment of the parliamentary constituency concerned. He was asked a leading question whether there was any objection raised by the counting agents regarding the counting and his answer was in the negative. He deposed that he conducted the test verification though he cannot give the exact number. He did not find any error in the number of ballot papers included in each of the bundles. There is nothing in the evidence of P.W. 5 to show that there was any irregularity in the counting of votes at the Kodungalloor segment.

14. In the Angamaly segment, the petitioner's witnesses are P.Ws. 18 and 19. P.W. 18 was the counting agent attached to the table where the Returning Officer was sitting. According to him he wanted the Returning Officer to check

the bundles because he suspected some corrupt practice. Then he was asked a leading question : "Bandilukalil prathiakatha kaudo (o) Illa (Ans)". According to him the difference between the votes polled and the votes counted exceeded 1600 and he is alleged to have obtained the information from the agent who was attached to the particular counting table. He admitted that in the Angamaly sector the petitioner obtained 4,000 votes in excess of the votes received by the 1st respondent. According to him, the counting agents of the 1st respondent, were agitated by the result and they gave a petition for recount, which was rejected. He was asked whether the polling agents gave him the figure of the votes polled. He answered in the affirmative. Thereupon he was asked whether the petitioner had agents in all the polling booths. Knowing about the implication of that question he changed the earlier version and said that figures were given to him by the party office and he admitted that the accounts received from the polling booths were not given to him. He does not actually know how many votes were polled. According to him he gave a written complaint for scrutiny of invalid votes and the number of doubtful ballot papers exceeded 2000. He was asked : "Invalid payi thalliyathu eathrayemariyimo Athn S.C.S. Menoste bhooripakshathiste aduthu varium (Ans) On the very face of it that version show the ignorance and the indifference of the witness. The concluding portion of his evidence is far more important:" Easikku i.e. Kettukale Sanbandhichum invalid, doubtful votes ievaye sanbandhichum prathyakathil eanthenkilum mistakeum Oollathegi earte dhresthiyal petittilla. P.W. 19, another counting agent of the petitioner at the same station repeated the usual version regarding the difference of the number of votes in the bundles of the petitioner and the 1st respondent. He was also the polling agent of the petitioner and he admitted : "Pollingnu thakarannumnilayirunna. He was thereupon asked regarding the difference in the number of votes polled and the number of votes counted. His reply is : "Avide Vayichu Kelpicha figures veshanu vyalthiasem manassilakkiyathu. Issued ballot papers, mark cheythathu, kanniyathu lethiste kanakkukal rajan serittu kandittilla. He has not given any written complaint. He further deposed : "Kettukalil vyalthiasem vannappol recount venamennu rajan aavasiyettilla. Again, regarding the difference in the number of bundles, he was asked as to when he detected that there was such an irregularity. He answered: Oadukkam Kenakku tally cheyyathu vannappozhenu Semsayam thessiyalhu". It is not easy to understand how he came to the conclusion that a particular bundle had more than or less than 50 votes simply because certain figures did not tally in the final account. According to him the decision regarding invalid votes was taken by the counting supervisor. On the face of it that version is false because it was the Returning Officer who took the decision. In the re-examination when an attempt was made to correct the mistake he made in his statement during cross-examination, he deposed: Ampathil kooduthalum kuravum kettukal gandathu enntharu parayuvan karanam (O) cudyogasthanmar Knsakku kootriyappol tally cheyyunnilla, eppol pishakundessu rajar nasassilakki (Ans). I do not think that further discussion is required to show the unsatisfactory nature of the evidence of these two witnesses. P.W. 2 was the Assistant Returning Officer attached to that counting centre. He explained how doubtful votes were scrutinised, and rejected. He deposed that the votes secured by the respective candidates were never recorded in any black-board. He admitted that he has not checked whether any bundle contained more than 50 or less than 50 ballot papers. I am satisfied that the irregularities spoken to by P.Ws. 18 and 19 cannot be accepted.

15. In the Vadakkekara segment, the petitioner's case is spoken to by P.Ws. 8 and 13. Besides the disputes regarding the number of ballot papers included in the respective bundles, he deposed that 75 postal votes were not counted and that he made an oral complaint. He was the counting agent at the central table. I am not, in the least, impressed by his evidence. P.W. 13 was both the counting agent and the polling agent and the polling agent of the petitioner. He repeated the usual version of the difference in the number of ballot papers in each bundles. He is alleged to have made a complaint to the Returning Officer, and according to him, the Returning Officer examined only two or three per cent of the votes. It could be seen that P.Ws. 8 and 13, apart from giving vague statement that some of the bundles of the petitioner contained more than 50 votes and that some of the bundles of the 1st respondent contained less

than 50 votes and that doubtful ballot papers were not properly scrutinised, were not in a position to say what exactly was the approximate number of such votes. It should also be noted that they could have deposed only regarding the irregularity, if any, that has occurred in the tables, to which they were attending respectively during the time of counting. On the basis of their evidence it cannot be inferred that at every table in that counting centre all these irregularities were repeated. P.W. 7 was the Assistant Returning Officer to that counting centre, and he deposed that doubtful votes were scrutinised, by him and that he did the test checking. He deposed that in certain bundles there was some mistake in number. "Churukkan chila bundlesil kuravun chilathil kooduthalum undayirunnu. The process adopted by him then was to place a slip in that bundle containing the correct number. He deposed that with respect to such bundles the final account was drawn up only on the basis of the slips so attached recording the correct number. He deposed that he did not get any objection regarding the counting and that nobody complained to him that certain bundles contained more than or less than 50 ballot papers. He also deposed that nobody objected to him in the matter of scrutiny of doubtful ballot papers as well. I find no reason to disbelieve the evidence of P.W. 7, and I hold that the evidence adduced by P.Ws. 8 and 13 cannot be accepted.

16. The remaining counting centre is Perumbavoor. P.W. 6 was the Assistant Returning Officer for that segment of the parliamentary constituency. He deposed that he conducted the test verification and that he did not come across any bundle containing more than or less than 50 ballot papers. According to him, there was a random checking of 10 per cent of the votes. He also deposed that in the matter of appointment of counting staff there was no special consideration. He deposed that regarding counting no complaint was given to him by any body and that nobody raised any objection regarding invalid votes or the number of votes contained in each bundle. The evidence of P.W. 6 does not support the petitioner's case and it has to be held that the petitioner has not proved any irregularity in the counting of votes at the Perumbavoor counting centre also.

17. Though in a way I have dealt with the question of test verification while discussing the evidence of the witnesses, I may consider briefly that aspect separately. P.W. 1, who is the District Collector and the Returning Officer for the entire Parliamentary constituency, admitted that there was no random checking made by him and that he only counted the postal votes. It should be noted that the actual counting of parliamentary votes was supervised by the Assistant Returning Officers deputed by the Collector to the seven counting centres of the Assembly constituencies. So the random checking had to be done by the Assistant Returning Officers in charge of the supervision of counting of parliamentary votes, while counting the ballot papers of the parliamentary segment in each centre. The Returning Officer of Mala was not examined while the Assistant Returning Officers in the parliamentary segment of the other six assembly constituencies were examined as P.Ws. 2 to 7. Of these places, it has already been pointed out by me that in four counting centres the petitioner was leading by 12000 votes. The random checking did not assume any importance in these segments while adducing evidence. Of the remaining three places where the petitioner suffered reverses, the Assistant Returning Officer of Mala was not examined. P.W. 4, who is the Returning Officer of Irinjalakuda, deposed that he conducted the test verification and he has never seen any bundle containing more than 50 ballot papers or less than 50 ballot papers. There is no reason to disbelieve his evidence. The Assistant Returning Officer of Kedungalloor was examined as P.W. 5. He also deposed that he conducted test verification even though he could not give the exact number from memory; but he was sure that when the test check was made the bundles examined contained only 50 ballot papers. I may also say that all Returning Officers examined deposed that complaints of this sort were never raised before them by any candidates. There is thus no substance in the allegation of the petitioner that test verification was not made. It may also be noted in this connection that the test verification provided in the Handbook issued by the Election Commission has as basis in any statute or rule and that the direction has been given only for the purpose of guaranteeing further the correctness in counting ballot papers.

18. The only other complaint of the petitioner is regarding the discrepancies in the number of ballot papers. His complaint is two-fold. The first error pointed out is that the number of ballot papers issued in the various polling booths of a particular segment and the number of ballot papers actually found at the time of counting were different. The petitioner has also a complaint that the total number of assembly ballot papers found at the time of counting differed from the total number of parliamentary ballot papers in the same segment. Regarding this matter also I have incidentally referred to the evidence available in the case while discussing the either points. Regarding the alleged discrepancy in the number of ballot papers issued in the various polling booths and the ballot papers found at the time of counting the petitioner has not chosen to adduce any satisfactory evidence. When the Returning Officers were examined they deposed that these details will be found in Form No. 16 and that the forms are kept in the treasury. The first part of Form No. 16 is filled up by the presiding officer who issued the ballot papers and the second part will be filled up by the Returning Officer at the time of counting, and if there is any discrepancy that will be noted by the Returning Officer in part 2. The petitioner never insisted upon the production of Form No. 16. It may not be out of place in mentioning in this context that the most serious discrepancy in numbers alleged by the petitioner is in the Angamaly segment; and strangely enough it is in the Angamaly segment that the petitioner got 4000 votes more than the 1st respondent. Regarding the discrepancy in the number of assembly ballot papers and parliamentary ballot papers found at the time of counting it is true that normally they may be equal. But P.W. 4, one of the Returning Officers deposed that it is not essential that the number of ballot papers issued for the parliament and the assembly in the same polling station must necessarily be equal. He would for instance point out that a voter may choose to exercise his vote only in respect of one of the constituencies, namely the Assembly or Parliament. Again, it is in evidence that some of the polling staff were permitted to cast their votes in the polling booths to which they were attached. It is not, therefore, absolutely essential that the total number of assembly ballot papers and parliamentary ballot papers in the segment must be equal. Apart from that there is paucity of evidence to show the actual number of the difference spoken to by the other counting agents of the petitioner when they were in the witness box. It may not be difficult to get the actual figure if the petitioner was serious because these details are available in the government offices concerned. Some of the counting agents have given the difference in the number while they were examined. For instance P.W. 8 would say that at Vadakkakkara where he was a counting agent the difference was 150. P.W. 9, who was the counting agent at Chalakudy mentioned the difference as 72. P.W. 10 who was the counting agent of Irinjalakuda put the difference at 30. P.W. 14, who was the counting agent at Mula did not speak of any number. P.W. 6, who was the counting agent at Kodungalloor pointed out that the difference was 52. P.W. 18 the counting agent of the petitioner at Angamaly deposed that the difference exceeded 1600. As I have already pointed out it is in the Angamaly segment that the petitioner got 4000 votes in excess of the votes polled in favour of the 1st respondent. I am, not, therefore, prepared to accept the number spoken to by P.W. 18. I was referring to the numbers spoken to by these witnesses only for the purpose of showing that even if their figures are accepted in their entirety the total cannot approach anywhere near the excess margin secured by the 1st respondent at the time of the final counting of votes.

No other point was urged before me. The issue is found against the petitioner.

19. Issue No. 4 In view of the findings on issue Nos. 2 and 3 the petitioner is not entitled to any of the reliefs prayed for in the petition.

In the result, the election petition is dismissed with costs of the 1st respondent. Advocate's fee is fixed at Rs. 500.

The Office will communicate the substance of this decision to the Election Commission and to the Speaker of the Lok Sabha. It shall also send an authenticated copy of this decision to the Election Commission, as soon as it is ready,

as provided in section 103 of the Representation of the People, 1951.

15th November, 1977.

Sd/- N. D. NAMBOODIRIPAD, Judge

[No. 82/KL-HP/5/77]

V. NAGASUBRAMANIAN, Secy.

गृह मंत्रालय

(राज भाषा विभाग)

नई दिल्ली, 9 फरवरी, 1978

का०आ० 588.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में निम्नलिखित विभागों को जिनके कर्मचारी बूद ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. राजभाषा विभाग
2. राजस्व विभाग
3. सिंचाई विभाग

[सं० 12022/1/78-रा. भा० (ख-2)]

हरि बाबू कंसल, उप सचिव

MINISTRY OF HOME AFFAIRS

(Department of Official Language)

New Delhi, the 9th February, 1978

S.O. 588.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies following Departments, the staff whereof have acquired the working knowledge of Hindi :—

1. Department of Revenue.
2. Department of Official Language.
3. Department of Irrigation.

[No. 12022/1/78-OL(B-2)]

H. B. KANSAL, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 16 दिसम्बर, 1977

प्रायःकर

का० आ० 589.—केन्द्रीय सरकार प्रायःकर अधिनियम, 1961 (1961 का 43) की धारा 80G की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री कुडमाडाकोथार टेम्पल, नानगुर तालुका (वाया) मांगमादम सिरकाली तालुका, तंजौर जिला को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य में सर्वज्ञ विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2074 का० सं० 176/121/77-प्राई टी(ए I)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 16th Decmber, 1977

INCOME-TAX

S.O. 589.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies "Sri Kudamadakoothar Temple, Nangur P.O., (Via) Mangamadam, Sirkali Taluk, Tanjore District" to be a place of

public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No 2074/F. No. 176/121/77-IT(AI)]

आय-कर

क्रा० आ० 590.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पल्लिकोण्डेश्वर रंगनाथ स्वामी टेम्पल, नानपुर डाकघर (वाया) मांगमादम सिरकाली तालुक, तंजौर जिला को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य भर में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2075/फा सं० 176/118/77-आईटी (ए I)]

INCOME-TAX

S.O. 590.—In exercise of powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Pallikonda Ranganathaswami Temple, Nangur P.O. (Via), Mangamadam, Sirkali Taluk, Thanjavur District" to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 2075/F. No. 176/118/77-IT(AI)]

आय-कर

क्रा० आ० 591.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री राजगोपाला स्वामी टेम्पल, कवालम्बाडी मानपुर डाकघर सिरकाली तालुक, जिला तंजौर को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य भर में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2076/फा सं० 176/124/77-आईटी (ए I)]

(INCOME-TAX)

S.O. 591.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Rajagopalaswami Temple, Kavalambadi Nangur Post, Sirkali Taluk, Tanjore District" to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said section.

[No. 2076/F. No. 176/124/77-IT(AI)]

नई दिल्ली, 26 दिसम्बर, 1977

आय-कर

क्रा० आ० 592.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री मधु पेरुमल टेम्पल कीलाछालाई, नांगुर पोस्ट (वाया) मांगमादम, सिरकाली तालुक, जिला तंजौर को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य भर में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2089/फा सं० 176/119/77-आईटी (ए I)]

New Delhi, the 26th December, 1977

(INCOME-TAX)

S.O. 592.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Madha Perumal Temple Keelachalai, Nangur Post (Via) Mangamadam, Sirkali Taluk, Tanjore District" to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 2089/F. No. 176/119/77-IT(AI)]

आय-कर

क्रा० आ० 593.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पल्लिकोण्डेश्वर स्वामी टेम्पल रिनोवेशन कमेटी ग्राम सुरतापल्ली जिला चित्तूर आंध्र प्रदेश को उक्त धारा के प्रयोजनों के लिए अधिसूचित करती है।

[सं० 2090/फा सं० 176/139/77-आईटी (ए I)]

INCOME-TAX

S.O. 590.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shri Pallikondesware Swami Temple Renovation Committee, Suratapalli Village, Chittoor District, Andhra Pradesh" for the purposes of the said section.

[No. 2090/F. No. 176/139/77-IT(AI)]

नई दिल्ली, 3 जनवरी, 1978

आय-कर

क्रा० आ० 594.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री मणिकेश्वर महादेव मंदिर, न्यू रोड कोचीन-2 को उक्त धारा के प्रयोजनों के लिए केरल राज्य भर में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2100/फा सं० 176/148/77-आईटी (ए I)]

एम० शास्त्री, अवसर सचिव

New Delhi, the 3rd January, 1978

INCOME-TAX

S.O. 594.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shri Manikeswar Mahadev Mandir, New Road, Cochin-2" to be a place of public worship of renown throughout the State of Kerala for the purposes of the said Section.

[No. 2100/F. No. 176/149/77-IT(AI)]

M. SHASTRI, Under Secy.

नई दिल्ली, 29 फरवरी, 1977

आय-कर

क्रा० आ० 595.—सर्व साधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक या भौतिक विज्ञानों के क्षेत्र में निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

(i) यह कि गुजरात विद्यापीठ, अहमदाबाद (कृषि/पशुपालन/मात्स्यकी तथा औषधि से भिन्न) प्राकृतिक या भौतिक विज्ञानों के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का अलग हिसाब रखेगा।

(ii) यह कि उक्त विद्यापीठ प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रिया कलापों की एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए निश्चित किए जाएं और उसे सूचित किए जाएं।

संस्था

गुजरात विद्यापीठ, अहमदाबाद

यह अधिसूचना 12 सितम्बर, 1977 से प्रभावी रहेगी।

[सं० 2033/फा० सं० 203/137/77-आई टी ए II]

जे० पी० शर्मा, उप नविव

New Delhi, the 29th October, 1977

INCOME-TAX

S.O. 595.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, the Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, in the area of other natural or applied sciences, subject to the following conditions :—

- (i) That the Gujarat Vidyapith, Ahmedabad will maintain a separate account of the sums received by it for scientific research in the field of natural or applied sciences (other than Agriculture/Animal Husbandry Fisheries & Medicines).
- (ii) That the said Vidyapith will furnish the annual return of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose, by 30th April, each year.

INSTITUTION

Gujarat Vidyapith, Ahmedabad.

This notification is effective from 12th September, 1977

[No. 2033/F. No. 203/137/77-ITA. II]

J. P. SHARMA, Dy. Secy.

नई दिल्ली, 2 फरवरी, 1978

आय-कर

फा० आ० 596.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80-द का अनुसरण करते हुए, केन्द्रीय सरकार, इसके साथ संलग्न अनुसूची में यथा विनिर्दिष्ट, भारत के बाहर स्थापित संस्थाओं तथा निकायों को उक्त धारा के प्रयोजनों के लिए एतद्वारा अधिसूचित करती है।

अनुसूची,

आस्ट्रेलिया

1. आस्ट्रेलिया म्यूजियम, सिडनी।
2. कामतवैल्थ साइंटिफिक एण्ड इंडस्ट्रियल रिसर्च आर्गेनाइजेशन, केन्बरा।
3. नेशनल रिसर्च काउंसिल।

कनाडा

4. नेशनल रिसर्च काउंसिल।

कोलम्बिया

5. इंटरनेशनल सेंटर फॉर ट्रापिकल एग्रिकल्चर, अपारटाडो।

जर्मन संघीय गणराज्य

6. मैक्स-प्लैंक इंस्टिट्यूट ऑफ रेडियो आस्ट्रोनामी।
7. नेशनल रिसर्च काउंसिल।

फ्रांस

8. इंस्टिट्यूट गैक्स वान लाउ-गाल मैनेथिया, ग्रोनोवल सीडेक्स।
9. म्यूजियम नेशनल डी हिस्टोरी, नट्राने, पैरिस।
10. पैरिस आर्गजेंटरी, म्यूजियम।

ली

11. नेशनल रिसर्च काउंसिल।

चा/पान

12. ट्रापिकल एग्रिकल्चर रिसर्च सेंटर, टोक्यो।

सैन्यिको

13. इंटरनेशनल मेज एण्ड व्हीट इम्प्रूवमेंट सेंटर।

नीदरलैंड

14. फाउन्डेशन फॉर एस्ट्रोनामी, लेडन एण्ड ग्रेनीगन।

नाइजीरिया

15. इंटरनेशनल इंस्टिट्यूट ऑफ ट्रापिकल एग्रिकल्चर, ईबाडान।

फिनियान्स्

16. इंटरनेशनल राईम रिसर्च इंस्टिट्यूट, लास वनास, लागुना, मनीला।

स्वीडन

17. स्वीडिश एकाडमी ऑफ साइंसेज, स्टॉकहोम।

स्विट्जरलैंड

18. इंटरनेशनल यूनियन फॉर कन्जर्वेशन ऑफ नेचर एण्ड नेचरल रिसोर्सेज।

तंजानिया

19. डेरेगजाम स्कूल ऑफ अकाउंटेंसी।

यूनाइटेड किंगडम

20. एकेसी रिसर्च लेबोरेटरीज, इम्पीरियल केमिकल इंडस्ट्रीज लि०, बेल्गवियन हंगलैंड।
21. ब्रिटिश म्यूजियम (नेचुरल हिस्ट्री), लन्दन।
22. सेंटर फॉर ओवरसीज पेस्ट कंट्रोल, लन्दन।
23. जोसेल लेबोरेटरी।
24. मुरुलार्ड रेडियो आस्ट्रोनामी आर्गजेंटरी, कैम्ब्रिज।
25. रायल बोटेनिक गार्डन, केच, इंग्लैंड।
26. रायल सोसाइटी।
27. स्पेशल कमेटी फॉर दी इंटरनेशनल वाइलजाइकल प्रोग्राम, मेरीलेन, लन्दन।

संयुक्त राज्य अमेरिका

28. अमेरिकन म्यूजियम ऑफ नेचुरल हिस्ट्री, न्यू यार्क।
29. बेल टेलीफोन लेबोरेटरीज, न्यू जर्सी।
30. शुक्रवैन नेशनल लेबोरेटरी, अण्टन, न्यूयार्क।
31. ब्राइस बाम्पसन इंस्टिट्यूट फॉर प्लांट रिसर्च इन्वार्पारेटेड टास्कर्स, न्यूयार्क।
32. कैलिफोर्निया इंस्टिट्यूट ऑफ टेक्नालाजी, पसाडना।
33. निक्विड क्रिस्टल इंस्टिट्यूट, केन्ट स्टेट यूनिवर्सिटी, केन्ट ओहियो।
34. नेशनल एकेडमी ऑफ इंजीनियरिंग।
35. नेशनल एकेडमी ऑफ साइंस।
36. नेशनल इंस्टिट्यूट ऑफ इन्वाइरेन्मेंटल हेल्थ साइंस।
37. नेशनल इन्वाइरेन्मेंटल रिसर्च सेंटर।

38. नेशनल इंस्टिट्यूट ऑफ हेल्थ ।
39. नेशनल इंस्टिट्यूट ऑफ प्राकृषेनल सेपटी एण्ड हेल्थ ।
40. नेशनल रेडियो अस्ट्रानामी आब्जर्वेटरी, चार्लोट्टेविले, वर्जीनिया ।
41. नेवल रिसर्च लेबोरेटरी, वाशिंगटन, डी सी ।
42. रोजी इंस्टिट्यूट ऑफ मालेक्लर बायोलोजी, न्यू जे ।
43. स्मिथ सोनियन इंस्टिट्यूट, वाशिंगटन डी सी ।

सोवियत समाजवादी जनसंघ

44. एकेडमी ऑफ साइंस ।
45. इंस्टिट्यूट ऑफ फेमिकल फिजिक, मास्को ।
46. इंस्टिट्यूट ऑफ क्रिस्टलोग्राफी, मास्को ।
47. नेशनल एकेडमी ऑफ साइंस ।

[सं० 2144/का० सं० 473/23/73-वि० क० प्र०]

बी० पी० मिश्र, उप सचिव

New Delhi, the 3rd February, 1978

INCOME-TAX

S.O. 596.—In pursuance of section 80-R of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies, for the purposes of the said section, the associations and bodies established outside India as specified in the Schedule annexed hereto.

SCHEDULE

AUSTRALIA

1. Australia Museum, Sydney.
2. Commonwealth Scientific and Industrial Research Organisation Canberra.
3. National Research Council.

CANADA

4. National Research Council.

COLOMBIA

5. International Centre for Tropical Agriculture, Apartado.

FEDERAL REPUBLIC OF GERMANY

6. Max-Planck Institute of Radio Astronomy.
7. National Research Council.

FRANCE

8. Institute Max Von Laue-Paul Langevin, Cronoble Cedex.
9. Museum National D' History, Natuallle, Paris.
10. Paris Observatory, Meudon.

ITALY

11. National Research Council.

JAPAN

12. Tropical Agriculture Research Centre, Tokyo.

MEXICO

13. International Maize and Wheat Improvement Centre.

NETHERLAND

14. Foundation for Astronomy, Laiden and Grenigen.

NIGERIA

15. International Institute of Tropical Agriculture, Ibadan.

PHILIPPINES

16. International Rice Research Institute, Los Banos, Laguna, Manila.

SWEDEN

17. Swedish Academy of Sciences, Stockholm.

SWITZERLAND

18. International Union for Conservation of Nature and Natural Resources.

TANZANIA

19. Dare-es-Salaam School of Accountancy.

UNITED KINGDOM

20. Akers Research Laboratories, Imperial Chemical Industries Ltd. Welwyn, England.
21. British Museum (Natural History), London.
22. Centre for Overseas Pest Control, London.
23. Jodrell Laboratory.
24. Mullard Radio Astronomy Observatory, Cambridge.
25. Royal Botanic Garden, Kew, England.
26. Royal Society.
27. Special Committee for the International Biological Programme, Marylane, London.

UNITED STATES OF AMERICA

28. American Museum of Natural History, New York.
29. Bell Telephone Laboratories, New Jersey.
30. Brookhaven National Laboratory, Upton, New York.
31. Boyce Thomson Institute for Plant Research Incorporated Tonkers, New York.
32. California Institute of Technology, Pasadena.
33. Liquid Crystal Institute, Kent State University, Kent Ohio.
34. National Academy of Engineering.
35. National Academy of Science.
36. National Institute of Environmental Health Science.
37. National Environmental Research Centre.
38. National Institute of Health.
39. National Institute of Occupational Safety and Health.
40. National Radio Astronomy Observatory, Chariotteville, Virginia.
41. Naval Research Laboratory, Washington, DC.
42. Roche Institute of Molecular Biology, Nutley NJ.
43. Smith Sonian Institution, Washington DC.

UNION OF SOVIET SOCIALIST REPUBLIC

44. Academy of Science.
45. Institute of Chemical Physic, Moscow.
46. Institute of Crystallography, Moscow.
47. National Academy of Science.

[No. 2144/F. No. 473/23/73-FTD]

V. P. MITTAL, Dy. Secy.

(आर्थिक कार्य विभाग)

(वैज्ञानिक प्रभाग)

नई दिल्ली, 18 फरवरी, 1978

का०आ० 597.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा II की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री डी० आर० कपूरिया के स्थान पर श्री एस० आर० शुक्ल को बलिया ग्रामीण बैंक, बलिया का अध्यक्ष नियुक्त करती है और 20 फरवरी, 1978 से प्रारंभ होने वाली और जून 30, 1978 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान उक्त श्री एस० आर० शुक्ल अध्यक्ष पद पर रहेंगे ।

[सं० एक० 3-40/77-आर० आर० बी०]

सी० आर० विश्वास, उप सचिव ।

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 18th February, 1978

S.O. 597.—In exercise of the powers conferred by sub-section (i) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri S. R. Shukla as the Chairman of the Ballia Kshetriya Gramin Bank, Ballia, vice Shri D. R. Kathuria, and specifies the period commencing on the 20th February, 1978 and ending with the 30th June, 1978 as the period for which the said Shri S. R. Shukla shall hold office as such Chairman.

[No. F. 3-40/77-RRB]

C. R. BISWAS, Dy. Secy.

केन्द्रीय उत्पाद शुल्क समाहर्तालय, कानपुर

कानपुर, 16 फरवरी, 1978

का.प्र. 598.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 233 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं एतद्वारा निदेश देता हूँ कि केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के अध्याय VII-क में अधिकृत और भारत सरकार की अधिसूचना सं. 171/69-केन्द्रीय उत्पाद शुल्क, दिनांक 21-6-69, 121/70-केन्द्रीय उत्पाद शुल्क, दिनांक 28-5-70, 179/71-केन्द्रीय उत्पाद शुल्क, दिनांक 23-9-71, 195/71-केन्द्रीय उत्पाद शुल्क, दिनांक 12-11-71, 117/72-केन्द्रीय उत्पाद शुल्क, दिनांक 25-3-72, 161/73-केन्द्रीय उत्पाद शुल्क, दिनांक 16-8-73, 18/75, केन्द्रीय उत्पाद शुल्क, दिनांक 1-3-75, 123/76-केन्द्रीय उत्पाद शुल्क, दिनांक 16-3-76, 152/76-केन्द्रीय उत्पाद शुल्क, दिनांक 1-5-76 का पाठ अधिसूचना सं. 203/76-केन्द्रीय उत्पाद शुल्क, दिनांक 19-6-76 और 188/77-केन्द्रीय उत्पाद शुल्क, दिनांक 18-6-77 के साथ करते हुए, उनके अन्तर्गत अधिसूचित स्वनिर्धारण पर निकासी प्रक्रिया तथा उत्पादन आधारित नियंत्रण प्रणाली के अन्तर्गत काम कर रहे केन्द्रीय उत्पाद शुल्क समाहर्तालय कानपुर के उत्पाद शुल्क लगने योग्य माल के सभी विनिर्माता बजट-दिवस के पूर्व दिन अर्थात् 27 फरवरी, 1978 को अपरान्ह 6 बजे के तत्काल बाद अपने कारखाने के प्रभारी रेंज अधिकारी के पास (इस अधिसूचना के साथ लगे फार्म में) एक घोषणा प्रस्तुत करेंगे और उसकी एक प्रतिलिपि उचित अधिकारी को भेजेंगे। इस घोषणा में:—

- (क) विनिर्माता द्वारा उस तारीख अर्थात् 27-2-78 को शाम 6 बजे तक जारी किए गए अन्तिम गेट-पास (जी. पी. 1 तथा जी. पी. 2) का नम्बर और
- (ख) उस तारीख अर्थात् 27-2-78 को शाम 6 बजे विनिर्माता के पास माल की हति शेष की सूचना वस्ती दी जायगी। जहाँ कारखाने रेंज, मुख्यालय में ही अथवा उसके निकट स्थित हों, निर्धारित उपर्युक्त घोषणा-पत्र रेंज कार्यालय में वस्ती प्रस्तुत करेंगे और उसकी लिखित पावती ले लेंगे। अन्य निर्धारित जो रेंज मुख्यालय में बहुत दूर हों, वह अपने घोषणा पत्र उसी दिन वस्ती या तार से भेज देंगे। विनिर्माता को लिखित पावती अथवा तार की रसीद अपने पास रखनी चाहिए ताकि आवश्यकतानुसार केन्द्रीय उत्पाद शुल्क अधिकारी के निरीक्षण हेतु उपलब्ध हो सके।

परिशिष्ट

स्वनिर्धारण पर निकासी प्रक्रिया के अन्तर्गत कार्य कर रहे विनिर्माताओं द्वारा माल हस्तादि के संबंध में बजट के पूर्व दिवस की घोषणा :—

लाइसेंस धारक का नाम

लाइसेंस नम्बर

वस्तु (जिन्स)

मैं/हम एतद्वारा घोषित करता हूँ/करते हैं कि अन्तिम गेट पास की क्रम सं. (प्रपत्र जी. पी. 1/जी. पी. 2) जो मैंने/हमने जारी किए हैं उनकी क्रम संख्या तथा केन्द्रीय उत्पाद शुल्क लगने योग्य माल का हतिशेष (स्वामित्व में उपलब्ध) जो मेरे/हमारे द्वारा विनिर्मित किया गया, * (दिनांक 27-2-78 के अपरान्ह 6 बजे) निम्नलिखित के अनुसार था :—

माल का नाम तथा टैरिफ मद संख्या	अन्तिम गेटपास (जी. पी. 1/जी. पी. 2) की क्रम संख्या	उत्पाद शुल्क लगने योग्य माल का धार. जी. पी. 1 के अनुसार हति शेष
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प्रमाणित किया जाता है कि उपरोक्त विवरण सही है।

निर्धारित अथवा उसके द्वारा प्राधिकृत अधिकारी के हस्ताक्षर

स्थान

दिनांक

*(संघ सरकार के वार्षिक बजट पेश किए जाने के एक दिन पूर्व) अधीक्षक/सहायक समाहर्ता, केन्द्रीय उत्पाद शुल्क—को दिनांक को शाम बजे वस्ती दिया।

[अधिसूचना सं. 2/78/पत्र सं. जी. (8) 94-बजट/1978/8860]
के. प्रकाश आनन्द, समाहर्ता

CENTRAL EXCISE COLLECTORATE, KANPUR

Kanpur, the 16th February, 1978

S.O. 598.—In exercise of the powers conferred on me under Rule 233 of the Central Excise Rules, 1944, I hereby direct that all the manufactures of excisable goods in the Central Excise Collectorate, Kanpur working under Self Removal procedure (including those working under Record Based and Production Based Control systems) as laid down in Chapter VII-A of the Central Excise Rules, 1944 and notified under Government of India Notifications No. 171/69-CE dt. 21-6-69, 121/70-CE dated 28-5-70, 179/71-CE dated 23-9-71, 195/71-CE dated 12-11-71, 117/72-CE dated 25-3-72, 161/73-CE dated 16-8-73, 18/75-CE dated 1-3-75, 123/76-CE dated 16-3-76, 152/76-CE dated 1-5-76 read with 203/76-CE dated 19-6-76 and 188/77-CE dated 18-6-77 shall file immediately after 6. p.m. on the day prior to the Budget day, i.e. on the 27 February, 1978, a declaration with the Range Officer of their factory with a copy to the proper officer in the form appended to this Notification. The declaration shall contain :

- (a) The number of last gate pass (G.P. 1 and G.P. 2) issued by the manufacturer upto 6 p.m. on that date i.e. 27-2-78; and
- (b) the closing balance of the stocks held by the manufacturer at 6 P.M. on that date i.e. 27th February, 1978.

2. The above declaration shall be submitted by the assessee by hand in the Range Office against a written acknowledgement where the factories are located at or near the Range Hdqrs. Other assesseees who may be situated far away from the Hdqrs. of the Range Office may send their declaration either by hand or through telegram despatched on the same day. The manufacturer should keep with him the written acknowledgement or the receipt of the telegram sent by him, so that it may be available for inspection by the Central Excise Officer, if needed.

APPENDIX

DECLARATION OF STOCK ETC. ON PRE-BUDGET DAY BY A MANUFACTURER WORKING UNDER SELF REMOVAL PROCEDURE

1. Name of the Licensee.
2. Licence No.
3. Commodity.

I/We hereby declare that the Serial Number of last Gate pass (es) in form G. P. 1/G. P. 2 issued by me/us and the balance in hand of the excisable goods manufactured by me/us on *(date-----at 6 P.M.) was/were as under :—

Name of goods with tariff Item No.	S. No. of last G.P. 1/F.P. 2	Closing Balance of excisable goods in stock as per P.G. 1
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Certified that the particulars given above are correct.

Place :

Date :

Signature of the assessee or his authorised agent.

*One day prior to the presentation of annual budget of the Union Government.

Handed over to the Superintendent/Assistant Collectors of Central Excise on -----at-----.

[Notification. No. 2/78/C No. V(8)/
94-Budget/78/8860]

K. PRAKASH ANAND, Collector

केन्द्रीय उत्पाद शुल्क समाहर्तार्य बम्बई

बम्बई, 7 फरवरी, 1978

केन्द्रीय उत्पाद शुल्क

का० आ० 599.—केन्द्रीय उत्पाद शुल्क नियमावली-1944 के नियम 173 आर० के० (2) के अधीन मुझे प्रदत्त शक्तियों का प्रयोग करते हुए मैं केन्द्रीय उत्पाद शुल्क के अधीक्षकों तथा सहायक समाहर्ताओं को, नियम 173 आर० डी० (2) के अन्तर्गत विनिर्दिष्ट समय के अन्दर शुल्क दायित्व को निभाते में असफल निर्धारितियों के मामलों में, क्रमशः 6 दिन तथा एक महीने तक की देरी माफ करने का अधिकार देता हूँ बशर्ते कि कथित माफी को स्वीकृत करने समय पर्याप्त कारण अभिलिखित कर दिये जायें।

[अधिसूचना संख्या सी०ई०आर०/173आर० के० (2)/(2) 78/का० सं०

(30)/25-मिस्से/76]

ई० आर० श्रीकंटिया, समाहर्ता

(Office of the Collector of Central Excise)

Bombay, the 7th February, 1978

CENTRAL EXCISES

S.O. 599.—In exercise of the powers conferred on me under Rule 173RK(2) of the Central Excise Rules, 1944, I hereby empower, Superintendent and Assistant Collectors of Central Excise to condone delay in cases where the assessee fails to discharge the duty liability within the time specified under Rule 173RD(2), upto 6 days and one month respectively subject to condition that adequate reasons are recorded at the time of granting the said condonation.

[Notification No. CER/173/RK(2)/(2)/78/F. No. V-(30)/25/Misc/76]

E. R. SRIKANTIA, Collector.

बाणिज्य मंत्रालय

नई दिल्ली, 16 फरवरी, 1978

(हलायची नियंत्रण)

का० आ० 600.—सर्वजनिक सूचना के लिए एतद्वारा यह प्रकाशित किया जाता है कि हलायची अधिनियम 1965 (1965 का 42) की धारा 7 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने हलायची बोर्ड में प्रचार अधिकारी श्री के० गोपाल कृष्णन् नायर को 26 नवम्बर, 1977 (पूर्वान्ह) से मंचित, हलायची बोर्ड के गद पर नियुक्त किया है।

[फाइल सं० 29/3/77-प्लांट (बी)]

एम० महादेव अय्यर, उप निदेशक

MINISTRY OF COMMERCE

New Delhi, the 16th February, 1978

(CARDMOM CONTROL)

S.O. 600.—It is hereby published for the information of the public that, in exercise of the powers conferred by sub-section (2) of Section 7 of the Cardamom Act, 1965 (42 of 1965), the Central Government has appointed Shri K. Gopalakrishnan Nayar, Publicity Officer in the Cardamom Board as Secretary, Cardamom Board, with effect from the 26th November, 1977 (F. N.).

[File No. 29/3/77-Plant(B)]

S. MAHADEVA IYER, Dy. Director.

नई दिल्ली, 4 मार्च, 1978

का० आ० 601.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उड़ीसा सरकार विशेषण प्रयोगशाला, जाजपुर रोड़ (जिला कटक) तथा जोड़ा (जिला कियोनसर) को भारत सरकार के बाणिज्य मंत्रालय की अधिसूचना सं० का० आ० 3152, तारीख 30 सितम्बर, 1965 से उपावद्ध अनुसूची 2 में विनिर्दिष्ट खनिज और अयस्क ग्रुप 1 के निरीक्षण के लिए अभिकरण के रूप में एक और वर्ष के लिए एतद्वारा मान्यता देती है।

[सं० 5(4)/74-ई० आई० एण्ड ई०पी०]

New Delhi, the 4th March, 1978

S.O. 601.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a further period of one year the Government of Orissa analytical Laboratories at Jaipur Road (District Cuttack) and Joda (District Keonjhar), as the agency for the inspection of the Minerals and Ores Group I, specified in Schedule II annexed to the notification of the Government of India in the Ministry of Commerce, No. S.O. 3152 dated the 30th September, 1965.

[No. 5(4)/74-EI & EP]

का० आ० 602.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उड़ीसा सरकार विशेषण प्रयोगशाला, जाजपुर रोड़ (जिला कटक) तथा जोड़ा (जिला कियोनसर) को भारत के बाणिज्य मंत्रालय की अधिसूचना सं० 3150 दिनांक 30 सितम्बर, 1965 से उपावद्ध अनुसूची 2 में विनिर्दिष्ट खनिज और अयस्क ग्रुप 2 के निरीक्षण के लिए अभिकरण के रूप में एक वर्ष की और अवधि के लिए एतद्वारा मान्यता देती है।

[सं० 5(4)/74-ई० आई० एण्ड ई०पी०]

S.O. 602.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a further period of one year the Government of Orissa Analytical Laboratories at Jaipur Road (District : Cuttack) and Joda (District : Keonjhar) as the agency for the inspection of the Minerals and Ores—Group II, specified in Schedule II annexed to the notification of the Government of India in the Ministry of Commerce No. S. O. 3150 dated the 30th September, 1965.

No. 5(4)/74-EI & EP

नई दिल्ली, 4 मार्च, 1978

क्रा. आ. 603.—निर्यात (क्वालिटी नियंत्रण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, शक्ति परिणामित्रों के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 में संशोधन के लिए निम्नलिखित नियम बनाती हैं, अर्थात् :—

1. (1) इन नियमों का नाम शक्ति परिणामित्रों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1978 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. शक्ति परिणामित्रों के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 में नियम 7 के स्थान पर निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात् :—

“7. निरीक्षण फीस—न्यूनतम सौ रुपये के अधीन रहते हुए, प्रत्येक परीक्षण के पोट पर्यन्त निःशुल्क मूल्य के प्रति एक सौ रुपये के लिए 20 पैसे की दर से फीस, निरीक्षण फीस के रूप में निर्यात कर्ता द्वारा अभिकरण को दी जाएगी।”

[सं. 6(12)/75-नि. नि. तथा नि. उ.]

सी. बी. कुक्रेती, संयुक्त निदेशक

New Delhi, the 4th March, 1978

S.O. 603.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules to amend the Export of Power Transformers (Quality Control and Inspection) Rules, 1977, namely :—

1. (1) These rules may be called the Export of Power Transformers (Quality Control and Inspection) Amendment Rules, 1978.

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Export of Power Transformers (Quality Control and Inspection) Rules, 1977, for rule 7 the following rule shall be substituted, namely :—

“7. Inspection Fee—Subject to a minimum of Rupees one hundred, a fee at the rate of twenty paise for every hundred rupees of F.O.B. value of each consignment shall be paid by the exporter to the Agency as inspection fee.”

[No. 6(12)/75-EI & EP]

C. B. KUKRETI, Jr. Secy.

विदेश व्यापार विभाग

उप-मुख्य निर्यात, आयात-निर्यात का कार्यालय ग्रहमवादाद

आदेश

ग्रहमवादाद, 15 नवम्बर, 1977

क्रा० आ० 604.—सर्वश्री कोवर्ण मैन टेक प्रा० लि० प्लाट सं० ए/29-ए/34 ब्रोच इन्डस्ट्रियल कॉप-इस्टेट लि०, ब्रोच को अग्रैल-मार्च 76

की रेड बुक के अनुसार निषिद्ध मदों से भिन्न एडीपिक एसिड और मोनोयबडिक एसिड 26 प्रतिशत एम 03° के लिए 50,000.00 रुपये (पचास हजार रुपये) मात्र का आयात ला० सं० पी/एम/1838836 दिनांक 4-12-75 प्रदान किया गया था।

उन्होंने उपर्युक्त ला० की 50,000.00 रुपये की अनुलिपि सीमा शुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति राज्य पत्र खोलने के पश्चात् खो गई/अस्थानस्थ हो गई है और माल के आयात के लिए उसका बिल्कुल भी उपयोग नहीं किया गया है।

अपने दावे के समर्थन में आवेदक ने एक शपथ पत्र दायित्व किया है।

मैं मस्तुट हूँ कि ला० सं० पी/एम/1838836 दिनांक 4-12-1975 की सीमा शुल्क प्रयोजन प्रति खो गई है और निदेश देता हूँ कि उपर्युक्त ला० की सीमा शुल्क प्रयोजन प्रति का अनुलिपि लाइसेंस आवेदक को जारी किया जाना चाहिए।

ला० सं० पी/एम/1838836 दिनांक 4-12-75 की मूल सीमा शुल्क प्रयोजन प्रति रद्द की जाती है।

[सं० 781/एन यू०/17903/एम०/18/एमएम 76/एमयू/एस एनआई/1263]

एन० सी० देव, उप-मुख्य निर्यातक

(Department of Foreign Trade)

Office of the Dy. Chief Controller of Imports and Exports,

Ahmedabad

ORDER

Ahmedabad, 15th November, 1977

S.O. 604.—M/s. Kovaran Man-Tech Pvt. Ltd, Plot No. A/29-A/34 Broach Industrial copy Estate Ltd, Broach has been granted import licence No. P/S/1838836 dated 4-12-75 for Rs. 50,000/- (Rs. fifty thousand only) for Adipic Acid and Molybdic Acid 96 per cent M03 '4 other than banned as per AM 76 Red Book.

They have applied for duplicate custom purpose copy of said licence for Rs. 50,000/- on the ground that the original custom copy has been lost/misplaced after having opened L/C and imported the material without utilised at all.

In support of their claim applicant has filed an affidavit.

I am satisfied that custom copy of licence No. P/S/1838836 dated 4-12-75 has been lost and direct that duplicate licence of Custom purpose copy of said licence should be issued to the applicant.

The original custom copy of Licence P/S/1838836 dated 4-12-75 is cancelled.

[No. 781/NU/17903/S. 18/AM-76/AU/SSI/1263]

N. C. DAVE, Dy. Chief Controller

मुख्य निर्यातक, आयात-निर्यात का कार्यालय, नई दिल्ली

आदेश

नई दिल्ली, 13 फरवरी, 1978

क्रा० आ० 605.—महा प्रबंधक व मुख्य अभियंता, बिहार राज्य विद्युत बोर्ड बेसी रोड, पटना की जी० ई० डिस्ट्रेक्ट रिले के लिए फाल्गु पुर्जों के आयात के लिए ला० सं० जी/ए/1066208 दिनांक 4-6-75 प्रदान किया गया था। महा प्रबंधक व मुख्य अभियंता, बिहार राज्य विद्युत बोर्ड ने सूचना दी है कि ला० की सीमा शुल्क और मुद्रा विनियम नियंत्रण प्रयोजन प्रति अस्थानस्थ हो गई है और उनसे उसकी अनुलिपि प्रतियां जारी करने के लिए आवेदन किया है।

अपने तर्क के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि ला० की सीमा शुल्क और मुद्रा विनियम प्रयोजन प्रति खो गई है और निदेश देता है कि उपर्युक्त ला० की अनुलिपि प्रतियां जारी की जाएं।

ला० की मूल सीमा शुल्क प्रयोजन प्रति और मुद्रा विनियम प्रयोजन प्रतियां रद्द कर दी गई हैं। उसकी अनुलिपि प्रतियां अलग से जारी की जा रही हैं।

[सं० 3/एस जी/19/75/76/पी एल एस/बी/520]

Office of the Chief Controller of Imports and Exports,

New Delhi

ORDER

New Delhi, the 13th February, 1978

S.O. 605.—General Manager-Cum-Chief Engineer, of Bihar State Electricity Board, Bailey Road Patna was granted licence No. G/A/1066228 dt. 4-6-75 for the import of spares for G. E. distance reely. General Manager-Cum-Chief Engineer, of B.S.E.B. Patna has reported that the Customs copy and Exchange Control copy of the licence have been misplaced and he has requested to issue duplicate copies of the same.

In support of their contention the applicant has filed an affidavit. The undersigned is satisfied that the custom copy and exchange copy of the licence have been lost and directs that the duplicate copies of the said licence be issued.

The original customs purpose copy and Exchange control purpose copies of the licence have been cancelled. A duplicate copies of the same is being issued separately.

[No. 3/SG/19/75-76/PLS/B/520]

आदेश

नई दिल्ली, 16 फरवरी, 1978

का० प्रा० 606.—सर्वश्री वैरी एण्ड कं० लि० कलकत्ता को अप्रैल-73, मार्च-74 की लाइसेंस अवधि के लिए अप्रैल-मार्च 75 की अवधि की नीति के अनुसार यू० के० से यू० के० मूल की मशीनरी और उपकरणों के लिए अपेक्षित स्वीकृत क्लिप्स के फालतू पुर्जों का आयात करने के लिए 2,00,000 रु० मात्र (दो लाख रुपए) का आयात लाइसेंस सं० पी/ई/2700003/आर/एम एल/52/एच/37-38/एन क्यू क्यू/एस पी सेल दिनांक 28-8-74 प्रदान किया गया था। अब लाइसेंसधारी ने ला० की अनुलिपि सीमा शुल्क प्रयोजन प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि उपर्युक्त ला० की मूल सीमा शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है। उन्होंने आगे यह भी बताया है कि ला० की मूल सीमा शुल्क प्रयोजन प्रति सीमा शुल्क कार्यालय, कलकत्ता में पंजीकृत कराई गई थी और उसका आंशिक रूप से उपयोग कर लिया गया था और अब कुल मूल्य जिसके लिए अनुलिपि प्रति अपेक्षित है, वह शेष 6,000.00 रु० (छः हजार रुपए) मात्र को पूरा करने के लिए है।

2. अपने तर्क के समर्थन में, आवेदक ने स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि ला० सं० पी/ई/2700003 दिनांक 28-8-74 की मूल सीमा शुल्क प्रयोजन प्रति आवेदक से खो गई/अस्थानस्थ हो गई है और निदेश देता है कि उपर्युक्त ला० की अनुलिपि सीमा शुल्क प्रयोजन प्रति उन को जारी की जानी चाहिए। लाइसेंस सं० पी/ई/2700003/आर/एम एस/52/एच 37-78/एन क्यू क्यू/एस पी सेल दिनांक 28-8-74 की मूल सीमा शुल्क प्रयोजन प्रति एसड्वाश रद्द की जाती है।

[सं० एस पी सी एल/13/यू किमिल/73-74/जी एल एस/डीआर-259]

यू० एस० रावत, उप-मुख्य नियंत्रक

New Delhi, the 16th February, 1978

ORDER

S.O. 606.—M/s. Parry & Co. Ltd., Calcutta were granted import licence No. P/E/2700003/R/ML/52/H/37-38/NQQ/SP. Cell dated 28-8-74 for import of Permissible types of spare parts required for Machinery and Equipments of U.K. origin as per policy for the period AM 75 for the value of Rs. 2,00,000/- (Rupees two Lakhs) only from U.K. for the licensing period April 73-March 74. Now the licensee has requested this office for the issue of Duplicate Customs Purpose copy of the licence on the ground that the original Customs Purpose copy of the said licence has been lost/misplaced. They have further stated that the original Customs purpose copy of the licence was registered with Calcutta Customs House and utilized partly, and the total amount for which the duplicate copy is required is to cover the balance of Rs. 6,000/- (Rupees six thousands) only.

2. In support of their contention, the applicant has filed an affidavit on Stamped. The undersigned is satisfied that the original Customs Purpose copy of the licence No. P/E/2700003 dated 28-8-74 has been lost/misplaced by the applicant and directs that duplicate Customs purposes copy of the said licence should be issued to them. The original Customs Purposes copy of the Import Licence No. P/E/2700003/R/ML/52/H/37-38/NQQ/SP. Cell dated 28-8-74 is hereby cancelled.

[No. SPCL/13/UKIML/73-74/GLS/1104]

U. S. RAWAT, Dy. Chief Controller

उद्योग संजालय

(औद्योगिक विकास विभाग)

आवेश

नई दिल्ली, 17 फरवरी, 1978

का० प्रा० 607.—मार्च 31 और ए/6/4/77-केन्द्रीय सरकार, विकास परिषद् (प्रक्रिया संबंधी) नियम, 1952 के नियम 3, 4 और 5 के साथ पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज-पत्र में इस आदेश के प्रकाशन की तारीख से दो वर्ष की अवधि के लिए, निम्नलिखित व्यक्तियों को आकार्बनिक रासायनिक उद्योग विकास परिषद् के सदस्यों के रूप में नियुक्त करती है, अर्थात्:—

आकार्बनिक रासायनिक उद्योग विकास परिषद्

1. श्री के० सी० शर्मा, अध्यक्ष और प्रबंधक निदेशक, भारतीय उर्वरक निगम, 55-नेहरू प्लेस, नई दिल्ली-110024
2. डा० एस० जान, प्रबंध निदेशक, मद्रास फर्टिलाइजर्स लिमिटेड, मनाली, मद्रास-600003
3. श्री पॉल पोठन, प्रबंध निदेशक, इंडियन फर्टिलाइजर्स फार्मर्स कांफरेंशन लिमिटेड, मानसरोवर भवन, नेहरू प्लेस, नई दिल्ली।
4. डा० एस० एम० बैजल, प्रबंध निदेशक, भारतीय फिस्कोटक लिमिटेड, 40 लोधी एस्टेट, नई दिल्ली।

5. श्री डी० जी० राव,
सलाहकार (उर्वरक),
रसायन और उर्वरक मंत्रालय,
शास्त्री भवन, नई दिल्ली।
6. कार्यपालक निदेशक,
भारतीय उर्वरक संस्था
जवाहरलाल नेहरू विश्वविद्यालय के निकट,
नई दिल्ली-110057.
7. श्री के० एस० हिरो,
निदेशक और मुख्य कार्यपालक अधिकारी विकास,
टाटा कैमिकल्स लिमिटेड,
बाम्बे हाउस, होमी मोदी स्ट्रीट,
फोर्ट, मुम्बई-400001.
8. श्री एस० बकील,
महाप्रबंधक,
सौराष्ट्र कैमिकल्स,
पोरबन्दर-2 (गुजरात)
9. श्री एस० एन० टण्डन,
उपसभापति (रसायन प्रभाग)
बल्लरपुर इण्डस्ट्रीज लिमिटेड,
124, जनपथ, नई दिल्ली।
10. श्री बी० रामाचुराई,
उप सभापति,
स्टैन्डर्ड मिलज कम्पनी लिमिटेड,
मफत लाल सेक्टर, नरिमान प्वायंट,
पोस्ट बाक्स सं० 1038, मुम्बई-400021.
11. श्री जे० पी० कपूर,
डी०सी० एम० कैमिकल्स वर्क्स,
नजफगढ़ रोड,
नई दिल्ली-110015.
12. श्री ए० लालजी,
प्रबंध निदेशक,
कैटेलिस्ट्स एण्ड कैमिकल्स इंडिया (वेस्ट एशिया) लिमिटेड,
240, डी० एन० रोड, मुम्बई-400001.
13. श्री जिम्मी गांधी,
मुख्य कैमिकल्स, बल्लू० आई० एम० सी० ओ० इण्डियन मर्कोल्टाइल
केम्बर्स,
निकेल रोड, बल्लू एस्टेट,
मुम्बई-400038.
14. सभापति/उसका प्रतिनिधि,
अखिल भारतीय सिविकेट विनिर्माता संस्था,
1-ए, सुरेन्द्र नाथ बनर्जी रोड,
कलकत्ता-700013.
15. सभापति/उसका प्रतिनिधि,
भारतीय कैमिकल्स विनिर्माता संस्था,
इंडिया एक्सपोज़,
कलकत्ता-1.
16. सभापति/उसका प्रतिनिधि,
रासायनिक संयंत्र विनिर्माता संस्था,
द्वारा मुम्बई आगिज्य और उद्योग मंत्रालय,
मन्त्रालय मकान भवन,
बल्लू एस्टेट, मुम्बई।
17. प्रबंध निदेशक,
भारत हैवी प्लेट एण्ड वेजल्स,
विशालापत्तनम।
18. अध्यक्ष या उसका नामनिर्देशित,
मिनरल्स एण्ड मेटल्स ट्रेडिंग कॉर्पोरेशन आफ इंडिया लिमिटेड,
एक्सप्रेस भवन, बहादुर शाह जफर मार्ग,
नई दिल्ली,
19. प्रबंध निदेशक/उसका प्रतिनिधि,
भारत हैवी इलेक्ट्रिकल लिमिटेड,
नई दिल्ली।
20. श्री सुरेश कुमार,
उपसचिव,
प्रौद्योगिक विकास विभाग,
उद्योग मंत्रालय,
नई दिल्ली।
21. सभापति,
भार विनिर्माता संस्था,
बंसोलाल मैन्गन,
11-बुस स्ट्रीट, मुम्बई-1.
22. सचिव या उसका नामनिर्देशित,
विज्ञान और प्रौद्योगिकी विभाग,
टैबनालाजी भवन, नव महरोली रोड,
नई दिल्ली।
23. सलाहकार/(उद्योग और खनिज),
योजना आयोग,
योजना भवन,
नई दिल्ली।
24. विकास आयुक्त,
लघु उद्योग,
निर्माण भवन, नई दिल्ली।
25. श्री एम० एस० ओवर,
विकास अधिकारी (उर्वरक),
तकनीकी विकास महा निदेशालय,
नई दिल्ली।
26. निदेशक,
केन्द्रीय नमक और समुद्री रसायन अनुसंधान संस्थान,
भावनगर (गुजरात)।
27. श्री पी० जयंथ राव,
ज्येष्ठ परियोजना अधिकारी,
रसायन और उर्वरक मंत्रालय,
नई दिल्ली।

2. केन्द्रीय सरकार, विकास परिषद् (प्रक्रिया संबंधी) नियम, 1952 के नियम 2 के खंड (ग) के अनुसरण में श्री एम० एस० ओवर, विकास अधिकारी (उर्वरक), तकनीकी विकास महानिदेशालय, नई दिल्ली को उक्त विकास परिषद् के सचिव के कृत्यों का पालन करने के लिए नियुक्त करती है।

[सं० 8/9/77-सी डी एन]

प्रेम नारायण, अवर सचिव

MINISTRY OF INDUSTRY

(Department of Industrial Development)

ORDER

New Delhi, the 17th February, 1978

S.O. 607.—IDRA/6/4/77.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951, (65 of 1951), read with Rules 3, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the date of publication of this Order in the Official Gazette, the following persons to be members of Development Council for Inorganic Chemical Industries, namely :—

DEVELOPMENT COUNCIL FOR INORGANIC
CHEMICAL INDUSTRIES

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Shri K. C. Sharma,
Chairman & Managing Director,
Fertilizer Corporation of India,
55-Nehru Place,
New Delhi-110024. 2. Dr. Esso John,
Managing Director,
Madras Fertilizers Ltd.,
Manali, Madras-600003. 3. Shri Paul Pothan,
Managing Director,
Indian Fertilizers Farmers Corpn. Ltd.,
Mansarovar Building,
Nehru Place, New Delhi. 4. Dr. S. S. Baijal,
Managing Director,
Indian Explosives Ltd.,
40 Lodi Estate, New Delhi. 5. Shri D. C. Rao,
Adviser (Fert.),
Ministry of Chemicals & Fertilizers,
Shastri Bhavan, New Delhi. 6. Executive Director,
Fertilizers Association of India,
Near Jawaharlal Nehru University,
New Delhi-110057. 7. Shri K. S. Hinge,
Director & Chief Executive Officer Development,
Tata Chemicals Limited,
Bombay House, Homi Modi Street,
Fort, Bombay-400001. 8. Shri S. Vakil,
General Manager,
Saurashtra Chemicals,
Porbandar-2 (Gujarat). 9. Shri S. N. Tandon,
Vice President (Chemical Division),
Ballarpur Industries Ltd.,
124, Janpath, New Delhi. 10. Shri V. Ramadurai,
Vice President,
Standard Mills Co. Ltd.,
Mafat Lal Centre, Nariman Point,
Post Box No. 1038, Bombay-400021. 11. Shri J. P. Kapoor,
D.C.M. Chemical Works,
Najafgarh Road,
New Delhi-110015. | <ol style="list-style-type: none"> 12. Shri A. Laljee,
Managing Director,
Catalysts & Chemicals India (West Asia) Ltd.,
240, D. N. Road, Bombay-400001. 13. Shri Jimmy Gandhi,
Chief Chemicals, WIMCO Indian Mercantile Chambers,
Nickel Road, Ballard Estate,
Bombay-400038. 14. President/His Representative,
All India Silicate Manufacturers Association,
1-A, Surendra Nath Road, Banerjee Road,
Calcutta-700013. 15. President/His Representative,
Indian Chemicals Manufacturers Association,
Indian Exchange,
Calcutta-1. 16. President/His Representative,
Chemicals Plant Manufacturers Association,
C/o Bombay Chamber of Commerce & Industry,
Makhnon Mackenzie Building,
Ballard Estate, Bombay. 17. Managing Director,
Bharat Heavy Plate & Vessels,
Vishakapatnam. 18. Chairman or his Nominee,
Mineral & Metals Trading Corpn. of India Ltd.,
Express Building, Bahadur Shah Zafar Marg,
New Delhi. 19. Managing Director/His representative,
Bharat Heavy Electrical Ltd.,
New Delhi. 20. Shri Suresh Kumar,
Dy. Secretary,
Deptt. of Industrial Development,
Ministry of Industry,
New Delhi. 21. The President,
Alkali Manufacturer's Association,
Bansilal Mansion,
11-Bruce Street, Bombay-I. 22. Secretary or his nominee,
Department of Science and Technology,
Technology Bhavan, New Mehrauli Road,
New Delhi. 23. Adviser/(Industry and Minerals),
Planning Commission,
Yojana Bhavan, New Delhi. 24. Development Commissioner,
Small Scale Industries,
Nirman Bhavan, New Delhi. 25. Shri M. S. Grover,
Development Officer (Fertilizers),
Directorate General of Technical Development,
New Delhi. 26. Director,
Central Salt & Marine Chemicals Research Industry,
Bhavnagar (Gujarat). 27. Shri P. Jayantha Rao,
Sr. Project Officer,
Ministry of Chemicals & Fertilizers,
New Delhi. |
|---|---|

2. In Pursuance of clause (c) of rule 2 of the Development Council (Procedural) Rules, 1952, the Central Government hereby appoints Shri M. S. Grover, Development Officer (Fertilizers) Directorate General of Technical Development, New Delhi to carry on the functions of the Secretary to the said Development Council.

[No. 8/9/77-CDN]

PREM NARAIN, Under Secy.

(भारी उद्योग विभाग)

आदेश

नई दिल्ली, 18 फरवरी, 1978

का०भा० 608.—उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1952 का 65) की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एवम् विकास परिषद् (कार्यविधि) नियम, 1952 के नियम 2, 4 और 5 के साथ पठते हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को भारत सरकार के भारी उद्योग विभाग के आदेश दिनांक 9 अगस्त, 1976 के द्वारा गठित मशीनी औजारों के निर्माण अथवा उत्पादनरत अनुसूचित उद्योगों की विकास परिषद् का सदस्य नियुक्त करती है और यह निदेश देती है कि उक्त आदेश में निम्नलिखित प्रतिस्थापन तथा संशोधन किया जाएगा, अर्थात् :—

(i) उक्त आदेशों में क० सं० 15 के सामने दी गई प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात् :—

15. डा० भार० जी० कुम्बाले,
प्रधान वैज्ञानिक अधिकारी,
विज्ञान तथा प्रौद्योगिकी विभाग,
नई दिल्ली ।

(ii) उक्त आदेश में सं० 28 के पश्चात् निम्नलिखित को निविष्ट किया जाए :

29. श्री प्रसन्न भाई मेहता
सदस्य, लोक सभा,
नई दिल्ली ।

मशीनी औजार की विकास परिषद्

1. श्री एन० पी० गोवरेज, अध्यक्ष,
मे० गोवरेज एण्ड ब्रोस, मैन्यूफैक्चरिंग कम्पनी प्रा० लि०,
लालबाग, पेरल,
बम्बई ।

2. डा० एस० एम० पाटिल,
अध्यक्ष एवं प्रबंध निदेशक,
हिन्दुस्तान मशीन टूल्स लिमिटेड,
बंगलौर ।

3. अध्यक्ष एवं प्रबंध निदेशक,
मे० हैवी इंजीनियरिंग कारपोरेशन लिमिटेड,
रांची (बिहार) ।

4. प्रबंध निदेशक,
मे० प्र० टूल्स लिमिटेड,
सिकन्दराबाद ।

5. अध्यक्ष,
इंडियन मशीन टूल्स मैन्यूफैक्चरिंग एसोसिएशन,
225/82, जोली मेकर मेम्बर नं० 11,
भारीमेन प्लांट, बम्बई ।

6. श्री दीपक मुखर्जी,
मे० कोपर इंजी० लिमिटेड,
पूना ।

7. श्री के० के० महेश्वरी,
अध्यक्ष,
मे० भारत फरिड्ज बरनर प्रा० लि०,
पीनया, बंगलौर ।

8. श्री पालीनन्पान्,
मे० प्रोडक्टीविटी एंलीमेंट्स लिमिटेड,
मद्रास ।

9. श्री देगबीर सिंह,
मे० हरिण (इंडिया) लिमिटेड,
गाजियाबाद ।

10. श्री एन० के० पटेल,
मार्फत मे० भार० एच० डब्ल्यू० विंडसर (इंडिया) लिमिटेड,
थाना (महाराष्ट्र) ।

11. श्री एम० एस० श्रीनिवासन,
मार्फत मे० विकसं स्पेरी आफ इंडिया लिमिटेड,
बम्बई ।

12. श्री पी० सैन, प्रबंध निदेशक,
मे० देवी अशमोर (इंडिया) लिमिटेड,
कलकत्ता ।

13. श्री डी० एस० मुल्ता,
कंसल्टिंग इंजीनियर,
इंजीनियरिंग सेंटर,
बम्बई ।

14. निदेशक,
सेंट्रल मैकेनिकल इंजीनि० रिसर्च इंस्टीट्यूट,
बुर्गापुर ।

15. डा० भार० जी० कुम्बाले,
प्रिंसिपल साइंटिफिक आफिसर,
विज्ञान तथा प्रौद्योगिकी विभाग,
नई दिल्ली ।

16. श्री एम० ई० विश्वेश्वरन,
निदेशक,
सी०एम०टी०आई०,
बंगलौर ।

17. श्री एस० भार० पी० सुब्रामणियन,
अध्यक्ष,
स्माल टूल्स मैन्यूफैक्चरिंग एसोसिएशन,
मद्रास ।

18. श्री एम० एम० सिकरी,
प्रबंध निदेशक,
मे० ट्रिल कम्पनी मेटल्स,
कोरमिड्स प्रा० लिमिटेड,
पूना ।

19. अध्यक्ष,
इंडस्ट्रियल डायमण्ड्स टूल्स एसोसिएशन,
श्री एन० भार० सेटी आफ
मे० ग्रीन कोटन एण्ड कम्पनी लिमिटेड,
पूना (डायमण्ड टूल डिजिट) ।

20. श्री ए० ए० वाकर,
प्रबंध निदेशक,
मे० हर्षटमैन इण्डिया लिमिटेड, पूना प्रौर
मे० बेकर गोरस्टमैन मरकर इण्डिया लिमिटेड ।
21. श्री सुरेश एम० मेहता, अध्यक्ष,
टैक्सटाइल मशीनरी मैनुफैक्चरर्स एसोसिएशन,
53, मिसल चेम्बरस,
बम्बई ।
22. महा निदेशक,
ग्रार्जस फेडररीज, 6 एस्पलेडे ईस्ट,
कलकत्ता ।
23. श्री राहुल बजाज, अध्यक्ष,
एसोसिएशन आफ इंडिया ट्रायोमोवाइल मैनुफैक्चरर्स,
बम्बई ।
24. श्री एम० भार० नायडू,
कार्यकारी निदेशक तथा गुप महा प्रबंधक,
भारत हेवी इलेक्ट्रिकल्स लिमिटेड,
नई दिल्ली ।
25. श्री मोहम्मद अकरम,
निदेशक,
विकास आयुक्त का कार्यालय,
लघु उद्योग, नई दिल्ली ।
26. श्री वाई० एस० वेंकटेश्वरन,
उप महा निदेशक,
भारतीय मानक संस्था,
नई दिल्ली ।
27. श्री एस० गणेशपाण्डित्यन,
अवर सचिव, भारी उद्योग विभाग,
उद्योग मंत्रालय,
नई दिल्ली ।
28. श्री भार० एन० बसु, मन्त्र-सचिव
प्रभारी विकास अधिकारी,
तकनीकी विकास का महानिदेशालय,
नई दिल्ली ।
29. श्री प्रसन्नभाई मेहता,
सदस्य, लोक सभा ।

[फा० सं० 4-23/76-एम० टी०]

ए० एफ० कटो, संयुक्त सचिव ।

(Department of Heavy Industry)

ORDER

New Delhi, the 18th February, 1978

S.O. 608.—In exercise of the powers conferred by Section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1952) read with Rules 2, 4 and 5 of the Development Council (Procedural) Rules 1952, the Central Government hereby appoints the following persons to be members of the Development Council constituted by the order of the Government of India in the Department of Heavy Industry Order dated 9th August, 1976 for the Scheduled Industries engaged in the manufacture or production of Machine Tools and directs that the following substitution and amendments shall be made in the said order, namely :—

(i) In the said order for entries occurring against No. 15 the following entries shall be substituted, namely :—

15. Dr. R. G. Kumble,
Principal Scientific Officer,
Department of Scientific and Technology,
New Delhi.

(ii) In the said order after No. 28 the following may be inserted :

29. Shri Prasannabhai Mehta,
Member, Lok Sabha,
New Delhi.

DEVELOPMENT COUNCIL FOR MACHINE TOOLS :

1. Shri N. P. Godrej,
Chairman,
M/s. Godrej & Boyce
Manufacturing Co. Pvt. Ltd.,
Lalbag, Parel,
Bombay. Chairman.
2. Dr. S. M. Patil,
Chairman & Managing Director,
Hindustan Machine Tools Ltd.,
Bangalore.
3. Chairman & Managing Director,
M/s. Heavy Engg. Corporation Ltd.,
Ranchi (Bihar).
4. Managing Director,
M/s. Praga Tools Ltd.,
Secundrabad.
5. President,
Indian Machine Tools,
Manufacturers Association,
225/82, Jolly Maker Chambers No. 11,
Nariman Point, Bombay.
6. Shri Deepak Mukherjee,
M/s. Cooper Engg. Ltd.,
Poona.
7. Shri K. K. Maheshwari,
President,
M/s. Bharat Fritz Worner Pvt. Ltd.,
Pceny, Bangalore.
8. Shri Palinanappan,
M/s. Productivity
Elements Ltd.,
Madras.
9. Shri Deshbir Singh,
M/s. Harig (India) Ltd.,
Ghaziabad.
10. Shri N. K. Patel,
C/o M/s. R. H. W. Windsor (India) Ltd.,
Thana (Maharashtra).
11. Shri M. S. Srinivasan,
C/o M/s. Vickers Sperry of India Ltd.,
Bombay.
12. Shri P. Sen, Managing Director,
M/s. Davy Ashmore (India) Ltd.,
Calcutta.
13. Shri D. S. Mulla,
Consulting Engineer,
Eng. Centre, Bombay.
14. Director,
Central Mechanical Engg.,
Research Institute,
Durgapur.
15. Dr. R. G. Kumble,
Principal Scientific Officer,
Deptt. of Science & Technology
New Delhi.
16. Shri M. E. Visveswaran,
Director,
C.M.T.I.,
Bangalore.
17. Shri S. R. P. Subramanian,
President,
Small Tools Manufacturers
Association, Madras.
18. Shri M. M. Sikri,
Managing Director,
M/s. Drill Co. Metals,
Corbides Pvt. Ltd., Poona.

19. President Industrial Diamonds Tools Association,—
Shri N. R. Shetty of M/s. Greaves Cotton & Co.
Ltd.,
Poona. (Diamond Tool Division).
20. Shri A. A. Baker,
Managing Director,
M/s. Horstman India Ltd.,
Poona and M/s. Baker Gorstmen Mercer India
Ltd.,
21. Shri Suresh M. Mehta, Chairman.
Textile Machinery Manufacturers' Association,
53, Mittal Chambers,
Bombay.
22. Director General,
Ordnance Factories.
6 Esplanade East,
Calcutta.
23. Shri Rahul Bajaj,
President,
Association of India,
Automobile Mfrs.,
Bombay.
24. Shri M. R. Naidu,
Executive Director & Group General Manager,
Bharat Heavy Electricals Ltd.,
New Delhi.
25. Shri Mohd. Akram,
Director,
Office of the Development Commissioner,
Small Scale Industries,
New Delhi.
26. Shri Y. S. Venkateswaran,
Deputy Director General,
Indian Standards Institutions,
New Delhi.
27. Shri S. Ganesapandian,
Under Secretary,
Deptt. of H. I.,
Ministry of Industry,
New Delhi.
28. Shri R. N. Basu, Mem.
D.O. Incharge, Secy.
D.G.T.D.,
New Delhi.
29. Shri Prasannabhai Mehta,
Member, Lok Sabha.

[F. No. 4-23/76-MT]

A. F. COUTO, Jt. Secy.

पेट्रोलियम मंत्रालय

नई दिल्ली, 21 सितम्बर, 1977

क्र० आ० 609—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना क्र० आ० सं० 94 तारीख 8-1-77 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देनी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अथ, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद् द्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय इंडियन ग्रायस कारपोरेशन लि० सभी संघकों से मुक्त रूप में इस घोषणा के प्रकाशन की इस तारीख को निश्चित होगा।

अनुसूची

तालिका : पालनपुर	जिला : बानसकंधा	गुजरात राज्य	क्षेत्रफल		
गांव	सर्वेक्षण नं०	हेक्टेयर	ए०प्रार०	वर्ग	मीटर
			ई०		
1	2	3	4	5	
कोटवा बाँदगढ़	67/2	0	12	48	
	67/6	0	04	00	
	67/5	0	06	40	
	63/3	0	08	48	
	62	0	47	03	
	54/1	0	30	92	
	53	0	40	73	
	47/1	0	45	58	
	48	0	30	56	
	49	0	09	63	
राजपुरिया	39	0	25	20	
	4	0	15	38	
	5/1	0	17	92	
	5/2	0	12	60	
जेथी	3	0	14	76	
	95/टी				
	(98)	0	09	12	
	95/जेड				
	(99)	0	28	00	
	95/के	0	41	00	
	207	0	08	00	
	203	0	30	78	
	204	0	12	84	
	199	0	27	18	
	198	0	25	12	
	190	0	19	54	
	189	0	16	04	
	188	0	14	88	
	95/छ	0	12	48	
	95/च	0	40	48	
	95/पी/9	0	35	28	
	95/पी/8	0	41	84	
	95/पी/घ	0	16	62	

MINISTRY OF PETROLEUM

New Delhi, the 21st September, 1977

S.O. 609.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals (Department of Petroleum) S.O. No. 94 dated 8-1-1977 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its Intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government.

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines.

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Taluka : Palanpur District : Banaskantha Gujarat State

Village	Survey No.	Extent		
		H	A	Sq.M
1	2	3	4	5
Kotda Chandgad	67/2	0	12	48
	67/6	0	04	00
	67/5	0	06	40
	63/3	0	08	48
	62	0	47	03
	54/1	0	30	92
	53	0	40	73
	47/1	0	45	58
	48	0	30	56
	49	0	09	63
	39	0	25	20
Rajpuria	4	0	15	38
	5/1	0	17	92
	5/2	0	12	60
	3	0	14	76
Jethi	95/T			
	(98)	0	09	12
	95/Z			
	(99)	0	28	00
	95/J	0	41	00
	207	0	08	00
	203	0	30	78
	204	0	12	84
	199	0	27	18
	198	0	25	12
	190	0	19	54
	189	0	16	04
	188	0	14	88
	95/Chh.	0	12	48
	95/ch	0	40	48

1	2	3	4	5
जेथी (जारी)	95/पी/जी	0	68	72
	95/पी/ख	0	79	28
	95/पी/घ	0	55	80
	95/पी/1	0	42	18
	95/पी/के	0	42	00
हनुमान गढ़ (सरोटरी)	12	0	21	56
	13	0	19	80
	21/1			
	-----	0	49	53
	46			
	21/1			
	-----	0	20	39
	41			
	21/1			
	-----	0	37	44
	50			
	21/1			
	-----	0	13	24
	51			
	21/1			
	-----	0	41	04
	57			
	21/1			
	53	0	15	56
	21/5	0	53	36
	21/6	0	42	00
	21/1			
	-----	0	34	12
	12			
	21/1			
	-----	0	04	16
	11			
	21/1			
	-----	0	39	78
	9			
	21/1			
	-----	0	15	84
	8			
अजरव	8	0	09	34
	6	0	02	56
	7/पी-ए	0	18	72
	7/पी-बी	0	04	64
	7/पी-सी	0	08	48
	7/पी-डी	0	23	28
	13	0	26	00
	14	0	21	42
	15	0	22	68
जूनी सरोतरी	94	0	18	63
	93	0	18	72
	88	0	36	99
	87	0	07	29
	92	0	00	10

1	2	3	4	5
Jethi (contd.)	95/P/9	0	35	28
	95/P/8	0	41	84
	95/P/Gh	0	16	62
	95/P/G	0	68	72
	95/P/Kh	0	79	28
	95/P/Th	0	55	80
	95/P/I	0	42	18
	95/P/K	0	42	00
	12	0	21	56
	13	0	19	80
Iqbal Gadh (Sarotri)	21/1/			
	46	0	49	53
	21/1/			
	41	0	20	39
	21/1/			
	50	0	37	44
	21/1/			
	51	0	13	24
	21/1/			
	57	0	41	04
	21/1/			
	53	0	15	56
	21/5/	0	53	36
	21/6/		42	00
	21/1/	0	34	12
	12	0	04	10
	21/1/			
	11			
	21/1/			
	9	0	39	78
Zanzarwaw	21/1/			
	8	0	15	84
	8	0	09	34
	6		02	56
	7/P-A	0	18	72
	7/P-B	0	04	64
	7/P-C	0	08	48
	7/P-D	0	23	28
	13	0	26	00
	14	0	21	42
Juni Sarotri	15	0	22	68
	94	0	18	63
	93	0	18	72
	88	0	36	99
	87	0	07	29
	92	0	00	10

[No. 12020/6/76-Prod.]

का० आ० 610.-- यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्ज) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का० आ० सं० 383 तारीख 7-1-77 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सभ्य प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और, आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन आयल कारपोरेशन लि० में सभी भारों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

तहसील : तबबई	जिला : भरतपुर	राज्य : राजस्थान		
ग्राम	खसरा न०	क्षेत्रफल		
		हेक्टर	ऐयर	वर्ग-मीटर
1	2	3	4	5
बड़ा	750	0	09	71
	751	0	06	47
	749	0	08	90
	748	0	09	71
	747	0	04	05
	757	0	13	76
	723	0	01	62
	711	0	23	47
	712	0	00	81
	709	0	14	57
	707	0	15	38
	700	0	01	62
	693	0	12	95
	695	0	01	62
	694	0	02	43
	696	0	10	52
	678	0	01	62
	677	0	10	52
	679	0	02	43
	561	0	04	05
	560	0	08	90
	558	0	02	43
	558/912	0	14	57
	557	0	01	62
	215	0	22	67
	214	0	03	24
	208	0	01	62
	226	0	01	62
	227	0	10	52
	230	0	08	09
	232	0	01	62
	236	0	08	90
	229	0	01	62
	237	0	08	09
	238	0	07	28
	239	0	06	47

1	2	3	4	5	1	2	3	4	5
बहु (क्रमः)	246	0	04	05	नोष (क्रमः)	344	0	02	43
	247	0	01	62		346	0	12	14
	245	0	14	57		348	0	02	43
	261	0	10	52		349	0	09	71
	262	0	15	38		215	0	05	67
	263	0	00	81		213	0	03	24
	332	0	03	24		224	0	12	95
	331	0	22	66		196	0	25	09
	241	0	01	62		197	0	02	43
	306	0	01	62		194	0	10	52
	307	0	04	86		193	0	19	42
	308	0	17	80		959	0	05	67
	309	0	02	43		962	0	00	81
	328	0	17	81		961	0	08	90
	318	0	07	28		965	0	08	90
	314	0	06	47		966	0	09	71
	315	0	13	76		1033	0	12	95
	316	0	12	95		1029	0	08	09
मरपुर	519	0	07	28		1028	0	25	09
	525	0	01	62		1070	0	00	81
	526	0	20	24		1069	0	09	71
	527	0	08	09		1067	0	01	62
	528	0	07	28		1068	0	19	42
	529	0	01	62		1085	0	01	62
	373	0	02	43		1084	0	21	85
	374	0	00	81		1090	0	03	24
	375	0	02	43		1091	0	13	76
	376	0	05	66		1101	0	03	24
	481	0	00	81		1100	0	06	48
	509	0	05	67		1099	0	06	47
	508	0	09	71		1098	0	03	24
	503	0	12	14		1104	0	04	86
	502	0	05	67		1107	0	10	52
	500	0	14	57		1108	0	15	38
	499	0	01	62	खांगरी	2791	0	01	62
मोष	487	0	05	66		2549	0	05	67
	498	0	04	85		2550	0	00	81
	489	0	19	42		2578	0	02	43
	472	0	03	24		2577	0	04	86
	471	0	03	24		2576	0	04	05
	470	0	12	14		2575	0	08	09
	402	0	05	66		2574	0	06	47
	401	0	06	47		2573	0	06	47
	384	0	00	81		2572	0	03	24
	395	0	02	43		2571	0	00	81
	385	0	29	95		2586	0	03	24
	386	0	00	81		2587	0	10	52
	377	0	12	14		2566	0	12	95
	375	0	15	38		2565	0	00	81
	374	0	03	24		2564	0	08	09
	342	0	17	81		2605	0	01	62
	345	0	06	47		2607	0	12	14

1	2	3	4	5	1	2	3	4	5
खांगरी (क्रमशः)	2608	0	13	76	खांगरी (क्रमशः)	1283	0	01	62
	2609	0	00	81		1284	0	04	86
	2650	0	12	14		1282	0	04	05
	2614	0	06	47		1281	0	02	43
	2648	0	04	05		1285	0	01	62
	2641	0	08	09		1280	0	00	81
	2645	0	03	24		1286	0	08	09
	2644	0	08	09		1287	0	00	81
	2642	0	00	81		1291	0	00	81
	2643	0	08	09		1289	0	05	66
	2675	0	00	81		1290	0	00	81
	2682	0	12	14		1288	0	02	43
	2683	0	02	43		1277	0	04	05
	2686	0	10	52		1276	0	04	05
	2585	0	04	05		1273	0	02	43
	2687	0	10	52		1271	0	02	43
	2689	0	04	86		1241	0	08	09
	1776	0	04	86		1242	0	08	90
	2774	0	06	47		1243	0	11	33
	2775	0	06	47		1258	0	04	86
	2772	0	02	43		1254	0	09	71
	2776	0	02	43		1255	0	07	28
	2777	0	04	86		1132	0	07	28
	2778	0	01	62		1256	0	04	86
	2800	0	03	24		1129	0	07	28
	2799	0	07	28		1128	0	06	47
	2788	0	17	00		1127/2924	0	03	24
	2794	0	12	95	खेड़ी देवी सिंह	1000	0	00	81
	2793	0	04	86		999	0	13	76
	2815	0	06	47		1012	0	09	71
	2826	0	08	09		1013	0	03	24
	2825	0	03	24		987	0	08	09
	2827	0	03	24		986	0	11	33
	1655	0	04	86		984	0	00	81
	1599	0	06	47		985	0	08	09
	1608	0	00	81		379	0	11	33
	1607	0	07	28		382	0	01	62
	1606	0	04	05		381	0	10	52
	1612	0	11	33		390	0	08	90
	1616	0	07	28		389	0	08	90
	1615	0	04	05		388	0	08	09
	1630	0	03	24		395	0	04	05
	1631	0	05	66		394	0	21	04
	1514	0	10	52		361	0	06	47
	1512	0	09	71		359	0	02	43
	1386	0	10	52		358	0	00	81
	1385	0	04	86		360	0	06	47
	1384	0	04	05		342	0	20	23
	1383	0	04	05		340	0	00	81
	1375	0	01	62		343	0	04	05
	1380	0	11	33		264	0	05	67
	1379	0	02	43		263	0	04	05
	1338	0	12	14		267	0	14	57
						265	0	29	14

1	2	3	4	5	1	2	3	4	5
खेड़ा देवी सिंह (क्रमशः)	269	0	00	81	खैलारा (क्रमशः)	734	0	00	81
	268	0	05	67		731	0	00	81
	153	0	13	76		730	0	04	86
	62	0	12	95		729	0	08	09
	61	0	08	90		625	0	00	81
	69	0	01	62		624	0	12	14
	60	0	09	71		613	0	02	43
	58	0	03	24		626	0	06	47
	57	0	10	52		583	0	12	14
	45	0	00	81		589	0	06	47
	44	0	13	76		588	0	04	05
	47	0	01	62		560	0	06	47
	46	0	07	28		561	0	08	09
	37	0	06	47		562	0	00	81
	36	0	07	28		546	0	00	81
	38	0	12	95		545	0	03	24
	13	0	12	14		543	0	04	86
	15	0	02	43		544	0	02	43
	14	0	17	81		542	0	04	86
खैलारा	914	0	01	62		548	0	00	81
	915	0	07	28		540	0	07	28
	916	0	08	90		538	0	04	05
	917	0	00	81		537	0	04	86
	922	0	04	86		536	0	09	71
	923	0	00	81	कबहरी	2765	0	02	43
	921	0	03	24		2762	0	14	57
	918	0	00	81		2417	0	03	24
	920	0	03	24		2418	0	11	33
	919	0	05	67		2419	0	08	09
	939	0	01	62		2421	0	09	71
	938	0	04	86		2420	0	00	81
	937	0	01	62		2422	0	04	86
	932	0	04	05		2423	0	04	05
	934	0	04	05		2425	0	11	33
	935	0	10	52		2444	0	00	81
	936	0	03	24		2426	0	07	28
	984	0	01	62		2427	0	06	47
	985	0	07	28		2411	0	01	62
	979	0	05	67		2437	0	09	71
	983	0	04	86		2438	0	01	62
	980	0	08	09		2439	0	12	14
	981	0	05	67		2436	0	01	62
	977	0	03	24		2442	0	08	90
	830	0	00	81		2443	0	10	52
	831	0	05	67		2444	0	05	67
	829	0	13	76		2454	0	06	47
	793	0	03	24		2452	0	01	62
	795	0	08	90		2451	0	20	23
	794	0	12	95		2462	0	04	86
	745	0	06	47		2463	0	02	43
	800	0	05	67		2464	0	13	76
	801	0	02	43		2468	0	09	71
	802	0	00	81		2467	0	01	62
	732	0	15	38					

1	2	3	4	5	1	2	3	4	5
कवई (क्रमशः)	2466	0	10	52	कवई (क्रमशः)	1101	0	09	71
	2483	0	06	47		1109	0	03	24
	2484	0	04	86		1103	0	04	05
	2485	0	02	43		1108	0	08	90
	2486	0	03	24		1107	0	04	86
	2312	0	02	43		1106	0	04	05
	2309	0	04	86		1116	0	17	81
	2308	0	04	86		1117	0	00	81
	2305	0	05	67		1384	0	08	09
	2304	0	12	95		1383	0	10	52
	2301	0	02	43		1379	0	05	67
	2302	0	00	81		1380	0	04	05
	2301/4340	0	10	52		1371	0	16	19
	418	0	06	47		1364	0	11	33
	419	0	14	57		1372	0	04	05
	411	0	38	04		1362	0	06	47
	380	0	05	67		1361	0	12	95
	381	0	04	05		1356	0	00	81
	382	0	08	90		1360	0	11	33
	383	0	05	67		1359	0	14	57
	358	0	07	28		1341	0	15	38
	357	0	03	24		1340	0	07	28
	355	0	09	71		1339	0	00	81
	354	0	09	71		1613	0	04	86
	461	0	04	05		1614	0	09	71
	462	0	03	24		1615	0	08	90
	463	0	00	81		1645	0	00	81
	464	0	06	47		1333	0	01	62
	458	0	03	24		1332	0	17	81
	1041	0	07	28		1646	0	00	81
	1043	0	04	86		1331	0	11	33
	953	0	04	05		1330	0	18	62
	952	0	00	81		1329	0	04	05
	944	0	02	43		1328	0	08	09
	945	0	03	24					
	942	0	01	62					
	939	0	06	47					
	930	0	02	43					
	931	0	02	43					
	933	0	00	81					
	932	0	10	52					
	898	0	08	09					
	897	0	11	33					
	900	0	00	81					
	895	0	12	14					
	894	0	04	05					
	893	0	05	67					
	1076	0	10	52					
	1094	0	08	09					
	1095	0	12	14					
	1096	0	10	52					
	1098	0	09	71					
	1400	0	12	14					
	1100	0	10	52					

[सं० 12020/17/76-प्रोद्योगिकी-1]

S.O. 610.—Whereas by a notification of Government of India in the Ministry of Petroleum S.O. 383 dated 7-1-1977 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines :

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government.

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines.

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of

vesting in the Central Government vest on this date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : Nadbai District : Bharatpur State: Rajasthan

Village	Khasra No.	Area		
		H	A	Sq.M
1	2	3	4	5
Badha	750	0	09	71
	751	0	06	47
	749	0	08	90
	748	0	09	71
	747	0	04	05
	757	0	13	76
	723	0	01	62
	711	0	23	47
	712	0	00	81
	709	0	14	57
	707	0	15	38
	700	0	01	62
	693	0	12	95
	695	0	01	62
	694	0	02	43
	696	0	10	52
	678	0	01	62
	677	0	10	52
	679	0	02	43
	561	0	04	05
	560	0	08	90
	558	0	02	43
	558/912	0	14	57
	557	0	01	62
	215	0	22	67
	214	0	03	24
	208	0	01	62
	226	0	01	62
	227	0	10	52
	230	0	08	09
	232	0	01	62
	236	0	08	90
	229	0	01	62
	237	0	08	09
	238	0	07	28
	239	0	06	47
	246	0	04	05
	247	0	01	62
	245	0	14	57
	261	0	10	52
	262	0	15	38
	263	0	00	81
	332	0	03	24
	331	0	22	66
	241	0	01	62
	306	0	01	62
	307	0	04	86
	308	0	17	80
	309	0	02	43
	328	0	17	81
	318	0	07	28
	314	0	06	47
	315	0	13	76
	316	0	12	59

1	2	3	4	5
Noorpur	519	0	07	28
	525	0	01	62
	526	0	20	24
	527	0	08	09
	528	0	07	28
	529	0	01	62
	373	0	02	43
	374	0	00	81
	375	0	02	43
	376	0	05	66
	481	0	00	81
	509	0	05	67
	508	0	09	71
	503	0	12	14
	502	0	05	67
	500	0	14	57
	499	0	01	62
	487	0	05	66
	498	0	04	85
	489	0	19	42
Notha	472	0	03	24
	471	0	03	24
	470	0	12	14
	402	0	05	66
	401	0	06	47
	384	0	00	81
	395	0	02	43
	385	0	29	95
	386	0	00	81
	377	0	12	14
	375	0	15	38
	374	0	03	24
	342	0	17	81
	345	0	06	47
	344	0	02	43
	346	0	12	14
	347	0	02	43
	349	0	09	71
	215	0	05	67
	213	0	03	24
	224	0	12	95
	196	0	25	09
	197	0	02	43
	194	0	10	52
	193	0	19	42
	959	0	05	67
	962	0	00	81
	961	0	08	90
	965	0	08	90
	966	0	09	71
	1033	0	12	95
	1029	0	08	09
	1028	0	25	09
	1070	0	00	81
	1069	0	09	71
	1067	0	01	62
	1068	0	19	42
	1085	0	01	62
	1084	0	21	85
	1090	0	03	24
	1091	0	13	76
	1101	0	03	24
	1100	0	06	48
	1099	0	06	47
	1098	0	03	24

1	2	3	4	5	1	2	3	4	5
Nothu (Contd.)	1104	0	04	86	Khangri (Contd.)	1386	0	10	52
	1107	0	10	52		1385	0	04	86
	1108	0	15	38		1384	0	04	05
Khangri	2791	0	01	62		1383	0	04	05
	2549	0	05	67		1375	0	01	62
	2550	0	00	81		1380	0	11	33
	2578	0	02	43		1379	0	02	43
	2577	0	04	86		1338	0	12	14
	2576	0	04	05		1283	0	01	62
	2575	0	08	09		1284	0	04	86
	2574	0	06	47		1282	0	04	05
	2573	0	06	47		1281	0	02	43
	2572	0	03	24		1285	0	01	62
	2571	0	00	81		1280	0	00	81
	2586	0	03	24		1286	0	08	09
	2587	0	10	52		1287	0	00	81
	2566	0	12	95		1291	0	00	81
	2565	0	00	81		1289	0	05	66
	2564	0	08	09		1290	0	00	81
	2605	0	01	62		1288	0	02	43
	2607	0	12	14		1277	0	04	05
	2608	0	13	76		1276	0	04	05
	2609	0	00	81		1273	0	02	43
	2650	0	12	14		1271	0	02	43
	2614	0	06	47		1241	0	08	09
	2648	0	04	05		1242	0	08	90
	2641	0	08	09		1243	0	11	33
	2645	0	03	24		1258	0	04	86
	2644	0	08	09		1254	0	09	71
	2642	0	00	81		1255	0	07	28
	2643	0	08	09		1132	0	07	28
	2675	0	00	81		1256	0	04	86
	2682	0	12	14		1129	0	07	28
	2683	0	02	43		1128	0	06	47
	2686	0	10	52		1127/2924	0	03	24
	2685	0	04	05	Kheri Devisingh	1000	0	00	81
	2687	0	10	52		999	0	13	76
	2689	0	04	86		1012	0	09	71
	1776	0	04	86		1013	0	03	24
	2774	0	06	47		987	0	08	09
	2775	0	06	47		986	0	11	33
	2772	0	02	43		984	0	00	81
	2776	0	02	43		985	0	08	09
	2777	0	04	86		379	0	11	33
	2778	0	01	62		382	0	01	62
	2800	0	03	24		381	0	10	52
	2799	0	07	28		390	0	08	90
	2788	0	17	00		389	0	08	90
	2794	0	12	95		388	0	08	90
	2793	0	04	86		395	0	04	05
	2815	0	06	47		394	0	21	04
	2826	0	08	09		361	0	06	47
	2825	0	03	24		359	0	02	43
	2827	0	03	24		358	0	00	81
	1655	0	04	86		360	0	06	47
	1599	0	06	47		342	0	20	23
	1608	0	00	81		340	0	00	81
	1607	0	07	28		343	0	04	05
	1606	0	04	05		264	0	05	67
	1612	0	11	33		263	0	04	05
	1616	0	07	28		267	0	14	57
	1615	0	04	05		265	0	29	14
	1630	0	03	24		269	0	00	81
	1631	0	05	66		268	0	05	67
	1514	0	10	52		153	0	13	76
	1512	0	09	71		62	0	12	95
						61	0	08	90

1	2	3	4	5	1	2	3	4	5
Kheri Devisingh (Contd.)	69	0	01	62		544	0	02	43
	60	0	09	71		542	0	04	86
	58	0	03	24		548	0	00	81
	57	0	10	52		540	0	07	28
	45	0	00	81		538	0	04	05
	44	0	13	76		537	0	04	86
	47	0	01	62		536	0	09	71
	46	0	07	28	Kawai	2765	0	02	43
	37	0	06	47		2762	0	14	57
	36	0	07	28		2417	0	03	24
	38	0	12	95		2418	0	11	33
	13	0	12	14		2419	0	08	09
	15	0	02	43		2421	0	09	71
	14	0	17	81		2420	0	00	81
Bailara	914	0	01	62		2422	0	04	86
	915	0	07	28		2423	0	04	05
	916	0	08	90		2425	0	11	33
	917	0	00	81		2424	0	00	81
	922	0	04	86		2426	0	07	28
	923	0	00	81		2427	0	06	47
	921	0	03	24		2411	0	01	62
	918	0	00	81		2437	0	09	71
	920	0	03	24		2438	0	01	62
	919	0	05	67		2439	0	12	14
	939	0	01	62		2436	0	01	62
	938	0	04	86		2442	0	08	90
	937	0	01	62		2443	0	10	52
	932	0	04	05		2444	0	05	67
	934	0	04	05		2454	0	06	47
	935	0	10	52		2452	0	01	62
	936	0	03	24		2451	0	20	23
	984	0	01	62		2462	0	04	86
	985	0	07	28		2463	0	02	43
	979	0	05	67		2464	0	13	76
	983	0	04	86		2468	0	09	71
	980	0	08	09		2467	0	01	62
	981	0	05	67		2466	0	10	52
	977	0	03	24		2483	0	06	47
	830	0	00	81		2484	0	04	86
	831	0	05	67		2485	0	02	43
	829	0	13	76		2486	0	03	24
	793	0	03	24		2312	0	02	43
	795	0	08	90		2309	0	04	86
	794	0	12	95		2308	0	04	86
	745	0	06	47		2305	0	05	67
	800	0	05	67		2304	0	12	95
	801	0	02	43		2301	0	02	43
	802	0	00	81		2302	0	00	81
	732	0	15	38		2301/4340	0	10	52
	734	0	00	81		4 18	0	06	47
	731	0	00	81		419	0	14	57
	730	0	04	86		411	0	38	04
	729	0	08	09		380	0	05	67
	625	0	00	81		381	0	04	05
	624	0	12	14		382	0	08	90
	613	0	02	43		383	0	05	67
	626	0	06	47		358	0	07	28
	583	0	12	14		357	0	03	24
	589	0	06	47		355	0	09	71
	588	0	04	05		354	0	09	71
	560	0	06	47		461	0	04	05
	561	0	08	09		462	0	03	24
	562	0	00	81		463	0	00	81
	546	0	00	81		464	0	06	47
	445	0	03	24		458	0	03	24
	543	0	04	86		1041	0	07	28

1	2	3	4	5
Kawai—(Contd.)	1043	0	04	86
	953	0	04	05
	952	0	00	81
	944	0	02	43
	945	0	03	24
	942	0	01	62
	939	0	06	47
	930	0	02	43
	931	0	02	43
	933	0	00	81
	932	0	10	52
	898	0	08	09
	897	0	11	33
	900	0	00	81
	895	0	12	14
	894	0	04	05
	893	0	05	67
	1076	0	10	52
	1094	0	08	09
	1095	0	12	14
	1096	0	10	52
	1098	0	09	71
	1400	0	12	14
	1100	0	10	52
	1101	0	09	71
	1109	0	03	24
	1103	0	04	05
	1108	0	08	90
	1107	0	04	86
	1106	0	04	05
	1116	0	17	81
	1117	0	00	81
	1384	0	08	09
	1383	0	10	52
	1379	0	05	67
	1380	0	04	05
	1371	0	16	19
	1364	0	11	33
	1372	0	04	05
	1362	0	06	47
	1361	0	12	95
	1356	0	00	81
	1360	0	11	33
	1359	0	14	57
	1341	0	15	38
	1340	0	07	28
	1339	0	00	81
	1613	0	04	86
	1614	0	09	71
	1615	0	08	90
	1645	0	00	81
	1333	0	01	62
	1332	0	17	81
	1646	0	00	81
	1331	0	11	33
	1330	0	18	62
	1329	0	04	05
	1328	0	08	09

[No.12020/17/76-Prod.I.]

का०आ० 611.—यतः पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पैट्रोलियम मंत्रालय की अधिसूचना का० आ० सं० 659 तारीख 28-1-77 द्वारा केन्द्रीय

सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन करती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के अजाय इंडियन आयल कारपोरेशन लि० में सभी भारों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

तहसील : बैर	जिला : भरतपुर	राज्य : राजस्थान
ग्राम	खसरा सं०	क्षेत्रफल
		हेक्टर एयर वर्ग-मीटर
1	2	3 4 5
कमालपुरा	220	0 38 05
	222	0 04 86
	239	0 10 53
	238	0 03 24
	237	0 02 43
	235	0 13 76
	233	0 07 28
	231	0 02 43
	347	0 20 23
	346	0 02 43
	363	0 17 81
	368	0 03 24
	369	0 05 67
	370	0 00 81
	377	0 04 05
	378	0 03 24
	376	0 08 10
	384	0 02 43
	664	0 22 66
	662	0 01 62
	683	0 08 09
	684	0 12 14
	682	0 00 81
	685	0 08 90
	680	0 00 81

1	2	3	4	5	1	2	3	4	5
कमालपुरा—(क्रमशः)	689	0	02	43		129	0	02	43
	690	0	04	86		130	0	09	71
	691	0	05	67		125	0	05	67
	692	0	01	62		124	0	04	05
	693	0	05	67		73	0	03	24
	657	0	04	86		86	0	00	81
	654	0	01	62		85	0	08	09
	656	0	02	43		84	0	12	14
	655	0	03	24		82	0	01	62
	651	0	00	81		78	0	15	37
	647	0	04	05		77	0	07	28
	648	0	04	86		7	0	11	33
	628	0	05	67		786	0	18	62
	629	0	07	29		787	0	10	52
	630	0	03	24		788	0	16	19
	631	0	08	10	बाछरेन	75	0	05	67
	622	0	03	24		1787/74	0	00	81
	621	0	04	05		76	0	05	67
	620	0	08	90		87	0	14	57
	610	0	08	90		82	0	01	62
	612/1	0	00	81		84	0	04	05
	1104/612	0	06	47		85	0	07	28
	1105/612	0	05	67		86	0	02	43
	571	0	09	71		89	0	04	05
	706	0	12	14		90	0	19	42
	705	0	11	33		112	0	01	62
	712	0	08	90		113	0	07	28
	715	0	18	61		46	0	01	62
	716	0	05	67		114	0	08	10
	717	0	04	86		115	0	05	67
	728	0	04	05		142	0	07	28
	745	0	14	57		137	0	00	81
	748	0	05	67		141	0	02	43
	646	0	01	62		138	0	07	28
	632	0	01	62		139	0	11	33
	608	0	02	43		181	0	00	81
	611	0	01	62		152	0	04	05
	729	0	01	62		153	0	07	29
						1792/154	0	06	47
उहलू	747	0	11	33		1793/154	0	00	81
	748	0	06	47		295	0	17	00
	572	0	02	43		297	0	03	24
	561	0	00	81		298	0	04	86
	562	0	04	05	बागपुर	938	0	00	81
	559	0	04	05		939	0	03	24
	565	0	03	24		940	0	04	05
	566	0	04	05		932	0	05	67
	567	0	05	67		931	0	03	24
	534	0	17	80		943	0	03	24
	533	0	00	81		954	0	04	05
	532	0	11	33		1031/967	0	03	24
	161	0	06	48		1030/967	0	05	81
	137	0	04	05		966	0	01	62
	136	0	04	05		1032/968	0	02	43

1	2	3	4	5	1	2	3	4	5
खानपुर (क्रमशः)	1033/968	0	00	81	पयौना (क्रमशः)	1163	0	03	24
	964	0	02	43		1164	0	06	47
	970	0	00	81		1236	0	06	47
	970/1	0	02	43		1235	0	08	09
	971	0	03	24		1254	0	09	71
	972	0	04	05		1256	0	07	28
	978	0	08	10		1257	0	05	67
हींगोटा	79	0	00	81		1258	0	04	86
	375	0	08	09		1260	0	21	04
	376	0	04	05		1263	0	08	90
	377	0	02	43		1262	0	09	71
	378	0	02	43		1281	0	08	90
	379	0	04	86		1283	0	01	62
	380	0	12	95		1282	0	09	71
	381	0	08	09		2097	0	03	24
	384	0	02	43		2098	0	20	23
	383	0	04	05		2103	0	03	24
	387	0	12	95		2107	0	03	24
	389	0	02	43		2104	0	06	47
	388	0	09	71		2105	0	06	47
	361	0	06	47		2143	0	17	81
	360	0	08	09		2123	0	03	24
	354	0	08	09		2129	0	00	81
	353	0	14	57		2128	0	14	57
	339	0	08	09		2127	0	08	09
	338	0	02	43		2126	0	08	09
	341	0	04	05		2201	0	03	24
	340	0	08	09		2208	0	04	05
	80	0	23	47		2203	0	04	05
	81	0	12	95		2204	0	12	95
	50	0	12	14		1125	0	05	67
	48	0	00	81		1139	0	02	43
	54	0	10	52	सैसीना	1093/976-977	0	11	33
	55	0	17	81		972	0	12	14
	31	0	10	52		971	0	07	28
	169	0	08	10		1013/988-989	0	04	86
	170	0	00	81		967	0	22	66
	173	0	08	09		958	0	09	71
	172	0	02	43		943	0	00	81
	522/176, 177,					1089/944-957	0	11	33
	183	0	05	67		948	0	04	86
पयौना	1108	0	03	24		946	0	17	80
	1109	0	16	19		935	0	02	43
	1124	0	16	19		934	0	13	75
	1123	0	08	09		924	0	02	43
	1132	0	04	05		823	0	06	47
	1131	0	20	23		825	0	08	09
	1172	0	02	43		824	0	01	62
	1135	0	12	14		922	0	04	86
	1136	0	00	81		827	0	00	81
	1142	0	04	05		817	0	16	19
	1141	0	08	09		832	0	02	43
	1140/1	0	02	43		833	0	04	05
	1140	0	12	14					

1	2	3	4	5	1	2	3	4	5
मैसीना (क्रमशः)	834	0	09	71	बिजवारी (क्रमशः)	46	0	07	28
	842	0	08	09		50	0	14	57
	843	0	00	81		44	0	04	86
	802	0	02	43	मेवाड़ा	1011	0	04	05
	797	0	06	47		1008	0	04	86
	798	0	04	05		1009	0	04	86
	786	0	11	33		1010	0	08	09
	785	0	04	05		1005	0	12	14
	788	0	09	71		1004	0	08	10
	789	0	02	43		1231/1003	0	04	86
	783	0	11	33		1237/1014	0	03	24
	782	0	08	90		1235/1014	0	05	67
	780	0	19	42		986	0	14	58
	665	0	01	62		985	0	08	09
गाजीपुर	381	0	11	33		1069	0	12	14
	380	0	06	47		1068	0	02	43
	379	0	12	95		1072	0	15	38
	376	0	01	62		1082	0	02	43
	377	0	11	33		1081	0	16	19
	363	0	12	95		1080	0	17	00
	364	0	04	05		1079	0	10	52
	365	0	04	05		1110	0	01	62
	356	0	09	71		1113	0	12	14
	355	0	01	62		1112	0	05	67
	353	0	15	38		1114	0	05	67
	352	0	09	71		429	0	09	71
	346	0	04	86		430	0	09	71
	59	0	00	81		431	0	08	90
	78	0	11	33		432	0	01	62
	79	0	08	90		425	0	03	24
	81	0	00	81		422	0	11	33
	80	0	12	14		423	0	11	33
	90	0	02	43		420	0	07	28
	91	0	21	04		408	0	09	71
	95	0	09	71		409	0	08	90
	94	0	17	81		391	0	08	09
बिजवारी	122	0	04	05		410	0	06	47
	125	0	04	86		388	0	25	09
	123	0	05	67	मुर्खना	338	0	23	47
	120	0	07	28		335	0	17	81
	119	0	10	52		334	0	04	05
	109	0	38	04		160	0	12	14
	110	0	15	38		331	0	04	06
	111	0	00	81		172	0	07	28
	78	0	09	71		173	0	10	52
	703/70/2	0	06	47		174	5	03	24
	702/70/1	0	06	47		569/175	0	01	62
	71	0	04	05		177	0	04	86
	75	0	14	57		571/176	0	17	00
	76	0	04	05		178	0	02	43
	74	0	12	95		189	0	01	62
	73	0	00	81		197	0	14	57
	49	0	13	76		199	0	04	05

1	2	3	4	5
सुखीना (क्रमशः)	225	0	09	71
	205	0	08	90
	206	0	09	71
	208	0	01	62
	209	0	12	14
	210	0	05	67
	211	0	07	28
भूतली	256	0	03	24
	257	0	21	04
	254	0	01	62
	253	0	14	57
	252	0	09	71
	1071/296-297	0	06	47
	245	0	08	09
	1072/298-302	0	00	81
	244	0	00	81
	303	0	08	90
	304	0	04	86
	308	0	02	43
	309	0	11	33
	310	0	00	81
	316	0	08	09
	313	0	04	05
	315	0	01	62
	314	0	16	19
	415	0	12	14
	414	0	84	86
नगला हेतराम	64	0	10	52
	63	0	12	95
	55	0	06	47
	143/56-57	0	04	86
	52	0	13	76
	51	0	07	29
	146/100	0	08	90
	107	0	13	76
	108	0	01	62
	106	0	10	52
	111	0	13	76
	112	0	08	09
सरसेना	2349/1	0	04	05
	2	0	03	24
	2352/3	0	11	33

[सं० 12020/17/76-प्रोडक्शनII]

टी० पी० सुब्रह्मनियन, अवर सचिव

S.O. 611.—Whereas by a notification of Government of India in the Ministry of Petroleum S.O. 659 dated 28-1-1977 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances

SCHEDULE

Tehsil : Weir District : Bharatpur State : Rajasthan

Village	Khasra No.	Area		
		H.	A.	Sq.M.
Kamalpur	220	0	38	05
	222	0	04	86
	239	0	10	53
	238	0	03	24
	237	0	02	43
	235	0	13	76
	233	0	07	28
	231	0	02	43
	347	0	20	23
	346	0	02	43
	363	0	17	81
	368	0	03	24
	369	0	05	67
	370	0	00	81
	377	0	04	05
	378	0	03	24
	376	0	08	10
	384	0	02	43
	664	0	22	66
	662	0	01	62
	683	0	08	09
	684	0	12	14
	682	0	00	81
	685	0	08	90
	680	0	00	81
	689	0	02	43
	690	0	04	86
	691	0	05	67
	692	0	01	62
	693	0	05	67
	657	0	04	86
	654	0	01	62
	656	0	02	43
	655	0	03	24
	651	0	00	81
	647	0	04	05
	648	0	04	86
	628	0	05	67
	629	0	07	29
	630	0	03	24
	631	0	08	10
	622	0	03	24
	621	0	04	05
	620	0	08	90
	610	0	08	90
	612/1	0	00	81

1	2	3	4	5	1	2	3	4	5
Kamalपुरा (Contd.)	1104/612	0	06	47	Bachren (Contd.)	138	0	07	28
	1105/612	0	05	67		139	0	11	33
	571	0	09	71		151	0	00	81
	706	0	12	14		152	0	04	05
	705	0	11	33		153	0	07	29
	712	0	08	90		1792/154	0	06	47
	715	0	18	61		1793/154	0	00	81
	716	0	05	67		295	0	17	00
	717	0	04	86		297	0	03	24
	728	0	04	05		298	0	04	86
	745	0	14	57	Khanpur	938	0	00	81
	748	0	05	67		939	0	03	24
	646	0	01	62		940	0	04	05
	632	0	01	62		932	0	05	67
	608	0	02	43		931	0	03	24
	611	0	01	62		943	0	03	24
	729	0	01	62		954	0	04	05
Uhloo	747	0	11	33		1031/967	0	03	24
	748	0	06	47		1030/967	0	00	81
	572	0	02	43		966	0	01	62
	561	0	00	81		1032/968	0	02	43
	562	0	04	05		1033/968	0	00	81
	559	0	04	05		964	0	02	43
	565	0	03	24		970	0	00	81
	566	0	04	05		970/1	0	02	43
	567	0	05	67		971	0	03	24
	534	0	17	80		972	0	04	05
	533	0	00	81	Hingota	978	0	08	10
	532	0	11	33		79	0	00	81
	161	0	06	48		375	0	08	09
	137	0	04	05		376	0	04	05
	136	0	04	05		377	0	02	43
	129	0	02	43		378	0	02	43
	130	0	09	71		379	0	04	86
	125	0	05	67		380	0	12	95
	124	0	04	05		381	0	08	09
	73	0	03	24		384	0	02	43
Bachren	86	0	00	81		383	0	04	05
	85	0	08	09		387	0	12	95
	84	0	12	14		389	0	02	43
	82	0	01	62		388	0	09	71
	78	0	15	37		361	0	06	47
	77	0	07	28		360	0	08	09
	7	0	11	33		354	0	08	09
	786	0	18	62		353	0	14	57
	787	0	10	52		339	0	08	09
	788	0	16	19		338	0	02	43
	75	0	05	67		341	0	04	05
	1787/74	0	00	81		340	0	08	09
	76	0	05	67		80	0	23	47
	87	0	14	57		81	0	12	95
	82	0	01	62		50	0	12	14
	84	0	04	05		48	0	00	81
	85	0	07	28		54	0	10	52
	86	0	02	43		55	0	17	81
	89	0	04	05		31	0	10	52
	90	0	19	42	Pathaina	169	0	08	10
	112	0	01	62		170	0	00	81
	113	0	07	28		173	0	08	09
	46	0	01	62		172	0	02	43
	114	0	08	10		522/176, 177, 183	0	05	67
Bachren	115	0	05	67		1108	0	03	24
	142	0	07	28		1109	0	16	19
	137	0	00	81		1124	0	16	19
Bachren	141	0	02	43					

1	2	3	4	5	1	2	3	4	5
Pathaina (Contd.)	1123	0	08	09	Bhaiseena (Contd.)	843	0	00	81
	1132	0	04	05		802	0	02	43
	1131	0	20	23		797	0	06	47
	1172	0	02	43		798	0	04	05
	1135	0	12	14		786	0	11	33
	1136	0	00	81		785	0	04	05
	1142	0	04	05		788	0	09	71
	1141	0	08	09		789	0	02	43
	1140/1	0	02	43		783	0	11	33
	1140	0	12	14		782	0	08	90
	1163	0	03	24		780	0	19	42
	1164	0	06	47		665	0	01	62
	1236	0	06	47					
	1235	0	08	09	Gazipur	381	0	11	33
	1254	0	09	71		380	0	06	47
	1256	0	07	28		379	0	12	95
	1257	0	05	67		376	0	01	62
	1258	0	04	86		377	0	11	33
	1260	0	21	04		363	0	12	95
	1263	0	08	90		364	0	04	05
	1262	0	09	71		365	0	04	05
	1281	0	08	90		356	0	09	71
	1283	0	01	62		355	0	01	62
	1282	0	09	71		353	0	15	38
	2097	0	03	24		352	0	09	71
	2098	0	20	23		346	0	04	86
	2103	0	03	24		59	0	00	81
	2107	0	03	24		78	0	11	33
	2104	0	06	47		79	0	08	90
	2105	0	06	47		81	0	00	81
	2143	0	17	81		80	0	12	14
	2123	0	03	24		90	0	02	43
	2129	0	00	81		91	0	21	04
	2128	0	14	57		95	0	09	71
	2127	0	08	09		94	0	17	81
	2126	0	08	09					
	2201	0	03	24	Bijwari	122	0	04	05
	2208	0	04	05		125	0	04	86
	2203	0	04	05		123	0	05	67
	2204	0	12	95		120	0	07	28
	1125	0	05	67		119	0	10	52
	1139	0	02	43		109	0	38	04
						110	0	15	38
						111	0	00	81
						78	0	09	71
						703/70/2	0	06	47
						702/70/1	0	06	47
						71	0	04	05
						75	0	14	57
						76	0	04	05
						74	0	12	95
						73	0	00	81
						49	0	13	76
						46	0	07	28
						50	0	14	57
						44	0	04	86
					Naiwara	1011	0	04	05
						1008	0	04	86
						1009	0	04	86
						1010	0	08	09
						1005	0	12	14
						1004	0	08	10
						1231/1003	0	04	86
						1237/1014	0	03	24
						1235/1014	0	05	67
						986	0	14	57
Bhaiseena	1093/976-977	0	11	33					
	972	0	12	14					
	971	0	07	28					
	1013/988-989	0	04	86					
	967	0	22	66					
	958	0	09	71					
	943	0	00	81					
	1089/944-957	0	11	33					
	948	0	04	86					
	946	0	17	80					
	935	0	02	43					
	934	0	13	75					
	924	0	02	43					
	823	0	06	47					
	825	0	08	09					
	824	0	01	62					
	922	0	04	86					
	827	0	00	81					
	817	0	16	19					
	832	0	02	43					
	833	0	04	05					
	834	0	09	71					
	842	0	08	09					

1	2	3	4	5
Naiwara (Contd.)	985	0	08	09
	1069	0	12	14
	1068	0	02	43
	1072	0	15	38
	1082	0	02	43
	1081	0	16	19
	1080	0	17	00
	1079	0	10	52
	1110	0	01	62
	1113	0	12	14
	1112	0	05	67
	1114	0	05	67
	429	0	09	71
	430	0	09	71
	431	0	08	90
	432	0	01	62
	425	0	03	24
	422	0	11	33
	423	0	11	33
	420	0	07	28
	408	0	09	71
	409	0	08	90
	391	0	08	09
	410	0	06	47
	388	0	25	09
Mukheina	338	0	23	47
	335	0	17	81
	334	0	04	05
	160	0	12	14
	331	0	04	05
	172	0	07	28
	173	0	10	52
	174	0	03	24
	569/175	0	01	62
	177	0	04	86
	571/176	0	17	00
	178	0	02	43
	189	0	01	62
	197	0	14	57
	199	0	04	05
	225	0	09	71
	205	0	08	90
	206	0	09	71
	208	0	01	62
	209	0	12	14
	210	0	05	67
	211	0	07	28
Bhootoli	256	0	03	24
	257	0	21	04
	254	0	01	62
	253	0	14	57
	252	0	09	71
	1071/296-297	0	06	47
	245	0	08	09
	1072/298-302	0	00	81
	244	0	00	81
	303	0	08	90
	304	0	04	86
	308	0	02	43
	309	0	11	33
	310	0	00	81
	316	0	08	09
	313	0	04	05
	315	0	01	62

1	2	3	4	5
Bhootoli (Contd.)	314	0	16	19
	415	0	12	14
	414	0	04	86
Nagla Hctram	64	0	10	52
	63	0	12	95
	55	0	06	47
	143/56-57	0	04	86
	52	0	13	76
	51	0	07	29
	146/100	0	08	90
	107	0	13	76
	108	0	01	62
	106	0	10	52
	111	0	13	76
	112	0	08	09
Sarsaina	2349/1	0	04	05
	2	0	03	24
	2352/3	0	11	33

[No. 12020/17/76-Prod.II]

T. P. SUBRAMANYAN, Under Secy.

नई दिल्ली, 8 फरवरी, 1978

का० आ० 612.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का०आ० सं० 2813 तारीख 20-8-77 द्वारा केन्द्रीय सरकार के उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों की बिछाने के प्रयोजन के लिए अर्जित करने या अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं० अत० के० बी० अत० से अत० पी० ई०

राज्य : गुजरात	जिला : अहमदाबाद	तालुक : विरमगाम
गांव	सर्वेक्षण नं०	हेक्टर ए०आर०ई० सेंटीमीटर
भटारिया	21/1	0 06 96
	4/5	0 07 20
	5/1	0 10 09
	5/2	0 10 09
	29	0 07 20

[सं० 12016/1/77-प्रोडक्शन]

New Delhi, the 8th February, 1978

S.O. 612.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 2813 dated 20-8-1977 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of user in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government.

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines.

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

For laying pipeline from well No. NKBM to SPE

State : Gujarat	District : Ahmedabad	Taluka : Viramgam		
Village	Survey No	Hec- tare	Are	Cen- tiare
Bhatariya	21/1	0	06	96
	4/5	0	07	20
	5/1	0	10	09
	5/2	0	10	09
	29	0	07	20

[No. 12016/1/77-Prod.]

नई दिल्ली, 14 फरवरी, 1978

क्र.सं. 613.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार अर्जत) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना क्र. सं. 4400 तारीख 28-10-76 द्वारा केन्द्रीय सरकार में उस अधिसूचना से गलम अतुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अवकाश प्राप्त घोषित कर दिया था।

और यतः मध्य प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे रही है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अतुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अथ, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अतुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी संयंत्रों से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अतुसूची

के. 0. डी. 0. 3 (के. 0. 12) से जी. 0. जी. 0. एस. 0. 5 तक पाइपलाइन

बिछाना।

राज्य : गुजरात	जिला : महेशाना	तालुका : कलोल
गांव	सर्वे नं०	क्षेत्रफल
		हेक्टेयर ए. आर. ई. सेण्टीयर
ईगन्ड	548	0 03 30
	549	0 06 00
	576/2	0 01 00
	583/6	0 03 60
	577/1	0 09 00
	578	0 02 35
	583/3	0 05 40
	579	0 14 30
	571/8	0 01 00
	530/2	0 04 35
	580/3	0 02 55
	640	0 12 15
	639/2	0 08 40
	639/1	0 09 45
	668	0 24 00
	676	0 02 25
	667/2	0 00 90
	671	0 08 55

[सं. 12016/10/76-प्रोडक्शन]

New Delhi, the 14th February, 1978

S.O. 613.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 4400 dated 28-10-1976 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of user in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government.

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines.

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

New Delhi, the 15th February, 1978

Pipeline From KDE-3 (K-172) to G.G.S.V.

State : Gujarat	District : Mehsana	Taluka : Kalol		
Village	Survey No.	Hect- tare	Are	Cen- tiare
Isand	548	0	03	30
	549	0	06	00
	576/2	0	01	00
	583/6	0	03	60
	577/1	0	09	00
	578	0	02	35
	583/3	0	05	40
	579	0	14	30
	571/8	0	01	00
	580/2	0	04	35
	580/3	0	02	55
	640	0	12	15
	639/2	0	08	40
	639/1	0	09	45
	668	0	24	00
	676	0	02	25
	667/2	0	00	90
	671	0	08	55

[No. 12016/10/76-Prod.]

नई दिल्ली, 15 फरवरी, 1978

का०प्रा० 614.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में सलाया पोर्ट से उत्तर प्रदेश में मथुरा तक पेट्रोलियम के परिवहन के लिये पाइपलाइन इण्डियन आयल कारपोरेशन द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी साहनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, इण्डियन आयल कारपोरेशन लिमिटेड, सलाया-मथुरा पाइपलाइन प्रोजेक्ट बी-18, शिवमार्ग, बनीपार्क, जयपुर-6 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

तहसील : ब्यावर	जिला : अजमेर	राज्य : राजस्थान			
	खमरा नं०	क्षेत्रफल			
ग्राम	माजिक	हाल	हेक्टर	ऐयर	वर्गमीटर
काना खेड़ा	533	2065	0	06	48

[सं० 12020/16/76-प्रोडक्शन I]

S.O. 614.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And, whereas it appears that for the Purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the Powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declare its intention to acquire the right of user therein

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali-Mathura Pipeline Project, B-18, Shiv Marg, Bani Park, Jaipur-6.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Tehsil : Beawar	District : Ajmer		State : Rajasthan		
Village	Khasra No.		Area		
	Old	New	H.	A.	Sq. M
Kana Khera	533	2065	0	06	48

[No. 12020/16/76-Prod. I]

का०प्रा० 615.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में सलाया पोर्ट से उत्तर प्रदेश में मथुरा तक पेट्रोलियम के परिवहन के लिये पाइपलाइन इण्डियन आयल कारपोरेशन द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी साहनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे, पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, इण्डियन आयल कारपोरेशन लिमिटेड, सलाया-मथुरा पाइपलाइन प्रोजेक्ट, बी-18, शिवमार्ग, बनीपार्क, जयपुर-6 को इस अधिसूचना की तारीख से 31 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

तहसील : बाली	जिला : पाली	राज्य : राजस्थान
क्षेत्रफल		
ग्राम	खसरा नं०	हेक्टर ऐयर वर्गमीटर
सैमली	112/1	0 12 14

[सं० 12020/16/76-प्रोद्यक्शन II]

बी० आर० भल्ला, अवसर सचिव

S.O. 615—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And, whereas it appears that for the Purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the Powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declare its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali-Mathura Pipeline Project, B-18, Shiv Marg, Bani Park, Jaipur-6.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Tehsil : Bali	District : Pali	State : Rajasthan
Area		
Village	Khasra No.	H. A. Sq.M.
Sesli	112/1	0 12 14

[No. 12020/16/76-Prod. II]

B.R. BHALLA, Under Secy.

नई दिल्ली, 13 फरवरी, 1978

का० आ० 616—भारत सरकार के अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पाइप लाइन (प्रयोक्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कलोल तेल क्षेत्र में उक्त परिशिष्ट भूमि में वेधन स्थल सं० के०-1973 से के०-137 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं :

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में निर्दिष्ट कार्य दिनांक 14-7-75 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइप लाइन के नियम 4 (प्रयोक्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद्वारा उक्त तिथि को कार्य सभा की तिथि अधिसूचित करते हैं ।

अनुसूची

के०-173 से के०-137 तक पाइप लाइन कार्य की समाप्ती

मंत्रालय का नाम	गांव	का०आ०सं०	भारत के राज- कार्य समाप्ति पत्र में की तिथि प्रकाशन की तिथि
पेट्रोलियम	टिटोडा	2752	3-9-77 14-7-75
	मोपन राठोड़		

[सं० 12016/4/77-प्रोद्यक्शन I]

New Delhi, the 13th February, 1978

S.O.616—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (i) of section 6 of the Petroleum and mineral pipelines (Acquisition of Right of User in land) Act, 1962 the Right of User has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. No. K-123 to K-137 in Kalol oil field in Gujarat State.

And Whereas the oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Action.

Now therefore under Rule 4 of the Petroleum Pipe lines (Acquisition of Right of User in Land) Rules, 1963 the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of pipeline from D.S. K-173 to K-137

Name of Ministry	Village	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation.
Petroleum	Titoda Rothod	2752	3-9-77	14-7-75

[No. 12016/4/77-Prod. II]

का० आ० 617—भारत सरकार के अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पाइप लाइन (प्रयोक्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त परिशिष्ट भूमि में वेधन स्थल सं० एस० पी० के० से एन० के० आर० तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं ।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में निर्दिष्ट कार्य दिनांक 22-2-76 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइप लाइन के नियम 4 (प्रयोक्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद्वारा उक्त तिथि को कार्य सभा की तिथि अधिसूचित करते हैं ।

अनुसूची

एस० पी० के० से एन० के० धारा तक पाइप लाइन कार्य की

समाप्ति

मंत्रालय का नाम	गांव	का०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम	मेहमदपुरा	2623	20-8-77	22-2-76

[सं० 12016/4/77 प्रोडक्शन II]

जी० के० दुधाणी, गुजरात के लिए नियमान्तर्गत सक्षम प्राधिकारी

S.O.617.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (i) of section 6 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 the Right of User has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s. No. SPK to NKR in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 22-2-76.

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of Pipeline from D.S., S.P.K. to N.K.R.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum	Mehmadpura	2623	20-8-77	22-2-76

[No. 12016/4/77-Prod. II]

G.K. DUDANI, Competent Authority under the Act for Gujarat

निर्माण और आवास मंत्रालय

(निर्माण प्रभाग)

नई दिल्ली, 24 दिसम्बर, 1977

का० आ० 618.—राजघाट समाधि अधिनियम, 1951 (1951 का 41) की धारा 3 तथा धारा 4 की उपधारा (1) और (2) में प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के भूतपूर्व निर्माण, आवास तथा प्रति मंत्रालय की दिनांक 22 अगस्त, 1962 की अधिसूचना सं० 19/2/62-डब्ल्यू-1 का अतिक्रमण करते हुए केन्द्रीय सरकार ने एतद्वारा राजघाट समाधि समिति का पुनर्गठन किया है और उसमें निम्नलिखित व्यक्तियों को सदस्य के रूप में शामिल किया है:—

- विल्सी नगर निगम के महापौर . . . पदेन
- दिल्ली प्रशासन के मुख्य सचिव } केन्द्रीय सरकार
- संयुक्त सचिव (निर्माण), निर्माण और आवास मंत्रालय } द्वारा नामित
- संयुक्त सचिव (वित्त), निर्माण और आवास मंत्रालय } कारी अधिकारी
- श्री श्रीमान नारायण } केन्द्रीय सरकार
- श्री बृज कृष्ण चंडीवाल } द्वारा नामित
- श्री रूप नारायण } गैर-सरकारी सदस्य

- डा० रामजी सिंह, संसद सदस्य . . . लोक सभा के
- श्री के०टी० कोसालराम, संसद सदस्य . . . सदस्यों द्वारा चुने गए सदस्य

- श्री कृष्ण कृपलानी, संसद सदस्य . . . राज्यसभा के सदस्यों द्वारा चुने गए सदस्य

2. केन्द्रीय सरकार ने एतद्वारा डा० सुशीला नय्यर, संसद सदस्य को राजघाट समाधि समिति की अध्यक्ष नियुक्त किया है और धारा 4 की उपधारा (2) के मुताबिक उन्हें समिति का एक सदस्य माना जाएगा।

[सं० 25012/3/72-डब्ल्यू-3]

MINISTRY OF WORKS AND HOUSING

(Works Division)

New Delhi, the 24th December, 1977

S.O. 618.—In exercise of the powers conferred by section 3 and Sub-sections (1) and (2) of Section 4 of the Rajghat Samadhi Act, 1951 (41 of 1951) and in supersession of the notification of the Government of India in the Late Ministry of Works, Housing and Supply No. 19/2/62-WI dated the 22nd August, 1962, the Central Government hereby re-constitutes the Rajghat Samadhi Committee with the following persons as the members, namely:—

- Mayor of the Municipal Corporation of Delhi . . . Ex-Officio
- Chief Secretary of the Delhi Administration } Officials nominated by the Central Government
- Joint Secretary (Works) Ministry of Works and Housing
- Joint Secretary (Finance), Ministry of Works and Housing
- Shri Shriman Narayan . . . Non-official nominated by the Central Government
- Shri Brij Krishan Chandiwal . . .
- Shri Roop Narain . . .
- Dr. Ramji Singh, M.P. . . Elected by Members of the Lok Sabha
- Shri K.T. Kosalam, M.P. . .
- Shri Krishna Kripalani, M.P. . . Elected by Members of the Rajya Sabha

2. The Central Government hereby appoints Dr. Sushila Nayar, M.P. as the Chairman of the Rajghat Samadhi Committee and under sub-section (2) of section 4 she shall be deemed to be a member of the Committee.

[No. 25012/3/72-W-3]

नई दिल्ली, 20 फरवरी, 1978

का०आ० 619.—राजघाट समाधि अधिनियम, 1951 (1951 का 41) की धारा 4 की उपधारा (1) की खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा गांधी स्मारक निधि के अध्यक्ष को श्री श्रीमान नारायण के स्थान पर राजघाट समाधि समिति के गैर-सरकारी

गवस्य के रूप में मनोनीत करती है और भारत सरकार निर्माण और आवास मंत्रालय के दिनांक 24 दिसम्बर, 1977 की अधिसूचना संख्या 25012/3/72 निर्माण-3 में निम्नलिखित संशोधन करती है:—

उक्त अधिनियम की मद (5) में "श्रीमान नारायण" के इन्दराज के लिए निम्नलिखित इन्दराज प्रतिस्थापित किया जाय, नामतः —

"गांधी स्मारक निधि के अध्यक्ष"

[संख्या 25012(3)/72-निर्माण-3]

एल० एम० मुख्वाणी, उपसचिव

New Delhi, the 20th February, 1978

S.O. 619.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 4 of the Rajghat Samadhi Act, 1951 (41 of 1951), the Central Government hereby nominates the Chairman, Gandhi Smarak Nidhi, as a non-official member of the Rajghat Samadhi Committee vice Shri Shriman Narayan, and makes the following amendment in the notification of the Government of India in the Ministry of Works and Housing No. 25012/3/72-W.3 dated the 24th December, 1977, namely :—

In the said notification, against item (5), for the entry "Shri Shriman Narayan", the following entry shall be substituted, namely :—

"Chairman, Gandhi Smarak Nidhi".

[No. 25012(3)/72-W.3]

L. M. SUKHWANI, Dy. Secy.

संचार मंत्रालय

(डाक तार बोर्ड)

नई दिल्ली, 20 फरवरी, 1978

का० आ० 620.—का० आ० संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने गंगुली टेलीफोन केन्द्र में दिनांक 16-3-78 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-6/78-पी० एच० बी०]

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 20th February, 1978

S.O. 620.—In pursuance of para (a) Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16th March, 1978 as the date on which the Measured Rate System will be introduced in Ganguli Telephone Exchange, Karnataka Circle.

[No. 5-6/78-PHB]

नई दिल्ली, 22 फरवरी, 1978

का० आ० 621 :—का० आ० संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने फतेहबाद टेलीफोन केन्द्र में दिनांक 16-3-1978 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-5/78-पी० एच० बी०]

New Delhi, the 22nd February, 1978

S.O. 621.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-3-1978 as the date on which the Measured Rate System will be introduced in Fatehabad Telephone Exchange, N.W. Circle.

[No. 5-5/78-PHB]

का० आ० 622 :—का० आ० संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने कालका टेलीफोन केन्द्र में दिनांक 16-3-1978 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-5/78-पी० एच० बी०]

S.O. 622.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-3-1978 as the date on which the Measured Rate System will be introduced in Kalka Telephone Exchange, N.W. Circle.

[No. 5-5/78-PHB]

का० आ० 623 :—का० आ० संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने आदिलाबाद टेलीफोन केन्द्र में दिनांक 16-3-1978 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/78-पी० एच० बी०]

प्रा० ना० कौल, निदेशक, फोन्स (ई)

S.O. 623.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-3-1978 as the date on which the Measured Rate System will be introduced in Adilabad Telephone Exchange, Andhra Circle.

[No. 5-8/78-PHB]

P. N. KAUL, Director of Phones (E)

श्रम मंत्रालय

नई दिल्ली, 13 फरवरी, 1978

का० आ० 524 :—केन्द्रीय सरकार की राय है कि फेल्लेसपार डोलोमाइट खानों में नियोजन के बारे में न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) के अधीन मजदूरी की न्यूनतम दरें नियत की जानी चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 27 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त नियोजन को, उक्त अधिनियम की अनुसूची के भाग 1 में जोड़ने के अपने आशय की सूचना देती है।

इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से चार मास की समाप्ति पर या उससे पूर्व उक्त जोड़े जाने की बाबत, यदि किसी व्यक्ति से कोई सुझाव या आक्षेप प्राप्त होंगे, तो केन्द्रीय सरकार उन पर विचार करेगी।

[सं० एस० 32025(1)/76-डब्ल्यू० सी० (एम० इश्यू०)]

MINISTRY OF LABOUR

New Delhi, the 13th February, 1978

S.O. 624.—Whereas the Central Government is of opinion that the Minimum rates of wages should be fixed under

the Minimum Wages Act, 1948 (11 of 1948) in respect of employment in dolomite mines;

Now, therefore, in exercise of the powers conferred by section 27 of the said Act, the Central Government hereby gives notice of its intention to add the said employment to Part I of the Schedule to the said Act.

Any suggestions or objections which may be received from any person in respect of the said addition on or before the expiry of a period of four months from the date of publication of this notification in the official gazette, will be considered by the Central Government.

[No. S. 32017(1)/76 WC(MW)]

नई दिल्ली, 15 फरवरी, 1978

का० आ० 625.—केन्द्रीय सरकार, मजदूरी संदाय अधिनियम, 1936 (1936 का 4) की धारा 7 की उपधारा (2) के खण्ड (त) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, रेलमंत्री कल्याण और राहत निधि की उक्त अधिनियम के उस खण्ड के प्रयोजनार्थ विनिर्दिष्ट करती है।

[सं० एस० 31014(13)/77-डब्ल्यू० सी० (पी डब्ल्यू०)]

New Delhi, the 15th February, 1978

S.O. 625.—In exercise of the powers conferred under clause (p) of sub-section (2) of Section 7 of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby specifies the Railway Minister's Welfare and Relief Fund for the purpose of that clause of the said Act.

[No. S-31014(13)/77-WC(PW)]

नई दिल्ली, 18 फरवरी, 1978

का० आ० 626.—केन्द्रीय सरकार, न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 26 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पांच वर्ष की अवधि के लिए, उक्त अधिनियम की धारा 18 की उपधारा (1) के उपबंध, जहाँ तक उसके न्यूनतम मजदूरी (केन्द्रीय) नियम, 1950 द्वारा विहित प्ररूप 10 में मजदूरी का रजिस्टर रखने और प्ररूप 11 में मजदूरी स्लिप जारी करने की अपेक्षा की गई है, केन्द्रीय जल और विद्युत अनुसंधान स्टेशन, पूना के कार्यभारित कर्मचारियों के संबंध में, जिनको केन्द्रीय सरकार के कर्मचारियों को लागू नियमित सपमान के अनुसार संदाय किया जाता है, लागू नहीं होंगे परन्तु यह इस शर्त के अधीन होगा कि ऐसे कर्मचारियों की विभिन्नता केन्द्रीय लोक संकर्म लेखा संहिता द्वारा विहित प्ररूप सीपी डब्ल्यूए-29 में रखी जाए।

[सं० एस० 32014(1)/77-डब्ल्यू० सी० (एम० डब्ल्यू०)]

New Delhi the 18th February, 1978

S.O. 626.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that, for a period of five years from the date of publication of this notification in the Official Gazette, the provisions of sub-section (1) of section 18 of the said Act in so far as it requires a Register of Wages to be maintained in Form X, and issue of Wage Slips in Form XI, prescribed by the Minimum Wages (Central) Rules, 1950, shall not apply in relation to the work charged employees of the Central Water and Power Research Station, Poona, who are paid on the regular scales of pay applicable to Central Government employees subject to the condition that the particulars of such employees shall be maintained in Form CPWA-29 prescribed by the Central Public Works Account Code.

[No. S-32014(1)/77-WC(MW)]

का० आ० 627.—केन्द्रीय सरकार, न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 26 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस अधिसूचना के राजपत्र में

प्रकाशन की तारीख से पांच वर्ष की अवधि के लिए, उक्त अधिनियम की धारा 18 की उपधारा (1) के उपबंध, जहाँ तक उसके न्यूनतम मजदूरी (केन्द्रीय) नियम, 1950 द्वारा विहित प्ररूप 10 में मजदूरी का एक रजिस्टर रखने की अपेक्षा की गई है, रक्षा मंत्रालय के अधीन सैनिक कामों के कर्मचारियों के संबंध में, जिनके लिए उक्त अधिनियम के अधीन न्यूनतम मजदूरी की दरें नियत की गई हैं, लागू नहीं होंगे, परन्तु यह इस शर्त के अधीन होगा कि ऐसे कर्मचारियों की विभिन्नता फार्म आई ए एफ (फार्म) 18, आई ए एफ (फार्म) 105 में मजदूरी पुस्तक में और सिविलियन कर्मचारियों के लिए वेतन पुस्तक में, सैनिक कामों की लेखा-प्रक्रिया के अनुसार रखी जाएगी।

[सं० एस० 32014(2)/77-डब्ल्यू० सी० (एम० बी०)]

टी० के० रामाचन्द्रन, उप सचिव

S.O. 627.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that, for a period of five years from the date of publication of this notification in the Official Gazette, the provisions of sub-section (1) of section 18 of the said Act in so far as it requires a Register of Wages to be maintained in Form X, prescribed by the Minimum Wages (Central) Rules, 1950, shall not apply in relation to the employees of the Military Farms under the Ministry of Defence, for whom minimum rates of wages have been fixed under the said Act, subject to the condition that particulars of such employees shall be maintained in the Wages Book in farms, IAF (Farms) 18, IAF (Farms), 105 and the pay book for civilian staff in accordance with the accounts procedure of the Military Farms.

[No. S-32014(2)/77-WC(MW)]

T. K. RAMACHANDRAN, Dy. Secy.

आदेश

नई दिल्ली, 14 फरवरी, 1978

का० आ० 628.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में बैस्टन कोल फील्ड्स लि० की चांदामेट्टा कालियरी, पेंच एरिया, चांदामेट्टा ग्रुप, जिला छिन्दवाड़ा (मध्य प्रदेश) के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है,

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या बैस्टन कोल फील्ड्स लि०, पेंच एरिया चांदामेट्टा ग्रुप (चांदामेट्टा कालियरी के संबंध में) का श्री डी० एन० त्रिपाठी, सरकार को 21 जनवरी, 1975 से नौकरी से निकालने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुसूची का हकदार है?”

[सं० एल-22013/2/77-डी० 4(ए)]

नन्द लाल, डैस्क अधिकारी

ORDER

New Delhi, the 14th February, 1978

S.O. 628.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Chandametta

colliery of Western Coalfields Limited, Pench Area, Chandametta Group, District Chhindwara (Madhya Pradesh) and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Western Coalfields Limited, Pench Area, Chandametta Group (in relation to Chandametta Colliery) in dismissing Shri D. N. Tripathi, Sirdar, with effect from 21st January, 1975, is justified? If not, to what relief is the concerned workman entitled?

[No. L-22013(2)/77-D.IV(A)]

S.O. 629.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of M/s. Dharsi Moolji, Bombay and their workmen which was received by the Central Government on the 14th February, 1978.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL AT BOMBAY

Reference No. CGIT-7 of 1977

PARTIES :

Employers in relation to M/s. Dharsi Moolji, Bombay.
AND

Their workmen represented by the Transport and Dock Workers, Union, Bombay.

APPEARANCES :

For the employers—Shri Y. H. Rane, Partner, For M/s. Dharsi Moolji.

For workmen —(1) Shri S. R. Wagh, Advocate (2) Shri S. R. Kulkarni, Secretary, Transport & Dock Workers' Union, Bombay.

INDUSTRY : Docks, Clearing & Forwarding. STATE : Maharashtra.

Bombay, the 2nd January, 1978

AWARD

1. The Government of India, Ministry of Labour, vide their Order No. L-31013(1)/77-D.IV(A), dated the 18th May, 1977, in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947, has referred the following matter for adjudication by this Tribunal.

SCHEDULE

"Whether the demand of the Transport & Dock Workers' Union, Bombay for payment of bonus at the rate of 20 per cent for the accounting year 1975-76, to the employees of M/s. Dharsi Moolji, Bombay is justified? If not, to what rate of bonus are the workmen entitled?"

2. After the issue of usual notice to the parties for filing their respective written statement, etc., the Union filed its written statement of claims and the employers sought adjournments for filing their written statement. On 28-12-1977 both the parties filed a joint application stating that they had arrived at an amicable settlement by which the management shall pay to the eligible employees four per cent bonus in respect of the year 1975-76 and the payment of which shall be made on or before 31-12-1977. The parties further prayed that the Tribunal be pleased to pass an Award in terms of this settlement. I find the settlement fair and reasonable and make my award accordingly.

J. NARAIN, Presiding Officer

[No. L-31013(1)/77-D.IV(A)]

NAND LAL, Desk Officer

का० आ० 630:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एक्सपो (इण्डिया), 4/4, सम्बाव चैम्बर्स, 20, सर पी० एम० रोड, मुम्बई-1, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अक्टूबर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(47)/76-पी० एफ० II(i)]

S.O. 630.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Expo (India), 4/4, Sambava Chambers, 20, Sir P.M. Road, Bombay-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of October, 1975.

[No. S. 35018(47)/76-PF. II(i)]

का० आ० 631:—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्धित विषय में आवश्यक जांच करने के पश्चात्, 31 अक्टूबर, 1975 से मैसर्स एक्सपो (इण्डिया) 4/4 सम्बाव चैम्बर्स, सर पी० एम० रोड, मुम्बई-1, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[सं० एस० 35018(47)/77-पी० एफ० II(ii)]

S.O. 631.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty first day of October, 1975 the establishment known as Messrs Expo (India), 4/4, Sambava Chambers, 20 Sir P.M. Road, Bombay-1, for the purposes of the said proviso.

[No. S. 35018(47)/77-PF. II(ii)]

का० आ० 632:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ऊषा ट्रांसपोर्ट एण्ड ट्रेडिंग कम्पनी, तन्ना हाउस 11, नाथासास खी० पारिख मार्ग, मुम्बई-1 जिसमें जामनगर स्थित उसका सहयुक्त समुत्पन्न भी है, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या

इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(96)/77-पी०एफ० II(i)]

S.O. 632.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Usha Transport and Trading Company, Jamna House 11; Nathalal D-Parikh Marg, Bombay-I including its Associated concern at Jamnagar, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35019(96)/77-PF. II(i)]

का० आ० 633.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि सेंचौर होटल, मुम्बई विमानपत्तन, मुम्बई-57, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(105) 77-पी०एफ०-II(i)]

S.O. 633.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Centaur Hotel, Bombay Airport, Bombay-57, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35018(105)/77-PF. II(i)]

का० आ० 634.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात्, 1 अप्रैल, 1976 से मैसर्स दि सेंचौर होटल मुम्बई विमानपत्तन, मुम्बई-57, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस०-35018(105)/77-पी०एफ० II(ii)]

S.O. 634.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into

the matter, hereby specifies with effect from the first day of April, 1976 the establishment known as Messrs The Centaur Hotel, Bombay Airport, Bombay-57, for the purposes of the said proviso.

[No. S. 35018(105)/77-PF. II(ii)]

का० आ० 635.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भावेश प्लास्टिक इंडस्ट्रीज, सी-1 नन्दनवन औद्योगिक एस्टेट, ए० सी० सी० अनुसंधान केन्द्र आगरा-मार्ग, थाना-4, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(106)/77-पी०एफ० II]]

S.O. 635.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bhavesh Plastic Industries, C-1, Nandaan Industrial Estate, Opposite A.C.C. Research Centre, Agra Road, Thana-4 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable, to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1977.

[No. S. 35019(106)/77-PF. II]

का० आ० 636.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोलाबा जिल्हा मच्छीमार मध्यवर्ती सहकारी संघ लिमिटेड, अलीबाग, जिला कोलाबा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(107)/77-पी०एफ० II]

S.O. 636.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kolaba Jilha Machhimar Madhyavarti Sahakari Sang Limited, Alibag, District Kolaba, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1975.

[No. S. 35018(107)/77-PF-II]

का० आ० 637.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एलाइट एक्स्पॉर्ट्स, 14/15, गीतांजली, दूसरी मंजिल, कार्यालय आर्थर बन्दर रोड, कोलाबा, मुम्बई-5 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस० 35018(109)/77-पी० एफ०-II]

S.O. 637.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Allied Exports, 14/15, Gitanjali, First Floor, Off. Arthur Bunder Road, Colaba, Bombay-5 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35018(109)/77-PF. II]

का० आ० 638.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बरलिगटनस एजेंसीज, 84-अंजली नवी मंजिल, कार्यालय आर्थर बन्दर मार्ग, कोलाबा, मुम्बई-5 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस० 35018(111)/77-पी० एफ० II]

S.O. 638.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Burlingtons Agencies, 84, Anjali, 8th Floor, Off. Arthur Bunder Road Colaba, Bombay-5, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35018(111)/77-PF. II]

का० आ० 639.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ज्योति मनोज को-ऑपरेटिव हाउसिंग सोसायटी लिमिटेड प्लॉट सं० 962, बी-खण्ड, ब्लॉक सं० 7, एस घानेकर मार्ग, प्रभादेवी, मुम्बई-25, जिसमें हिन्दी मॉबिस इन्डस्ट्रिय, तीसरी मंजिल, गाला सं० 15, पार्कवे होटल के पीछे शिवाजी पार्क, मुम्बई-28 स्थित उनकी कर्मशाला भी सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या

इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जून, 1977 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस० 35018(112)/77-पी० एफ० II]

S.O. 639.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jyoti Manoj Co-operative Housing Society Limited, Plot No. 962, B. Wing Block No. 7, S. Ghanekar Marg, Prabhadevi, Bombay-25 including its Workshop at Hind Service Industries, 2nd Floor, Gala No. 15, Behind Parkway Hotel Shivaji Park, Bombay-28, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1977.

[No. S. 35018(112)/77-PF. II]

का० आ० 640.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रेमंड वूलन मिल्स लिमिटेड (भेड़ और ऊन अनुसंधान और विकास प्रभाग) लालिंग कुरान, धुलिया, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 मई, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस० 35018(113)/77-पी० एफ० II]

S.O. 640.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Raymond Woolen Mills Limited, (Sheep and Wool Research and Development Division) Laling Kuran, Dhulia have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1975

[No. S. 35018(113)/77-PF. II]

का० आ० 641.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आन्तिया इलेक्ट्रिकल्स (प्राइवेट) लिमिटेड, 73-जाली मेकर, चैम्बर्स सं० 11, नरीमन प्वाइंट, मुम्बई, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।
[सं० एस० 35018(114)/77-पी० एफ० II]

S.O. 641.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Antia Electricals (Private) Limited, 73 Jolly Maker, Chambers No. 11 Nariman, Point, Bombay, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

This notification shall be deemed to have come into force on the first day of July 1976.

[No. S. 35018(114)/77-PF. III]

का० प्रा० 642.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्रीगांव सेवा सहकारी सोसायटी लिमिटेड, डाकघर शिगांव, पलघर तालुका, जिला-थाना, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1974 को प्रवृत्त हुई समझी जाएगी।
[सं० एस० 35018(115)/77-पी० एफ० II]

S.O. 642.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shrigaon Sewa Sahakari Society Limited, Post Shirgaon Palghar Taluk, District Thana, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1974.

[No. S. 35018(115)/77-PF. II]

का० प्रा० 643.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कर्नाटक एग्रो प्रोटीन्स लिमिटेड, 19 लेबेल रोड, बंगलूर-1 जिसमें एम/96, हाउसिंग बोर्ड कालोनी, रायचूर स्थित उसकी शाखा भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा की 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 सितम्बर, 1977 को प्रवृत्त हुई समझी जाएगी।
[सं० एस० 35019(429)/77-पी० एफ० II (i)]

S.O. 643.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Karnataka Agro Proteins Limited, 19, Lavelle Road, Bangalore-1 including its branch at M/96, Housing Board Colony, Raichur, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1977.

[No. S. 35019(429)/77-PF. II(ii)]

का० प्रा० 644.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 सितम्बर, 1977 से मैसर्स कर्नाटक एग्रो प्रोटीन्स लिमिटेड, 19 लेबेल रोड, बंगलूर-1, जिसमें एम/96, हाउसिंग बोर्ड कालोनी, रायचूर स्थित उसकी शाखा भी है, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(429)/77-पी० एफ० II(ii)]

S.O. 644.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of September, 1977, the establishment known as Messrs. Karnataka Agro Proteins Limited, 19, Lavelle Road, Bangalore-1 including its branch at M/96, Housing Board Colony, Raichur for the purposes of the said proviso.

[No. S. 35019(429)/77-PF. II(ii)]

का० प्रा० 645.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सन्नामालापा एस्टेट, मोदेगोडु शनिवारसंथा डाकघर, उत्तरी कुर्ग, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(431)/77-पी० एफ० II]

S.O. 645.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sannamallapa's Estate, Modegodu Shanivarasanth Post, North Coorg, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1977.

[No. S. 35019(431)/77-PF. II]

का० प्रा० 646.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बोथरा ब्रदर्स, धिजयनगरम नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी

भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(434)/77-पी० एफ० II]

S.O. 646.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bothra Brothers, Vizianagaram, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S-35019(434)/77-PF. II]

का० आ० 647.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स पी० रेगू एण्ड कम्पनी 114 रंगनाथपुरम ईस्ट स्ट्रीट, तूतिकोरिन-2, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(438)/77-पी० एफ० II]

S.O. 647.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. Regu and Company, 114, Renganathapuram East Street, Tuticorin-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S-35019(438)/77-PF. II]

का० आ० 648.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 4 अक्टूबर, 1977 से मैसेर्स रिकार्डर्स एण्ड मेडिकेयर सिस्टम्स, एस० सी० प्रो० 5-ए, 7-सी, चण्डीगढ़, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(422)/77-पी० एफ० II(ii)]

S.O. 648.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into

the matter, hereby specifies with effect from the fourth day of October, 1977 the establishment known as Messrs. Recorders and Medicare System, S.C.O. 5-A, 7-C, Chandigarh, for the purposes of the said proviso.

[No. S-35019/442/77-PF. II(ii)]

का० आ० 649.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स राजकमल ट्रांसपोर्ट (प्राइवेट) लिमिटेड, प्रधान कार्यालय, तिलक रोड, हैदराबाद-1, जिसमें (1) 1716 क्वीन्स रोड, पीली कोठी, दिल्ली-6 (2) 10-बी म्यूनिसिपल गोदाम, कमला वरबाजा किंग रोड, सूरत-3 (3) 70 आठ्ठी राम स्वामी अय्यर स्ट्रीट शिवापेट, सलेम-2 और (4) शुक्ला गंज जिला उन्नाव (उत्तर प्रदेश) स्थित उसकी शाखाएं भी हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(446)/77-पी० एफ० II(i)]

S.O. 649.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rajkamal Transport (Private) Limited, Head Office Tilak Road, Hyderabad-1, including its branches at (1) 1716, Queen's Road Pili Kothi, Delhi-6, (2) 10-B, Municipal Godown, Kamela Darwaja, King Road, Surat-3, (3) 70, Achi Ramaswamy Iyer Street, Shevapet, Salem-2 and (4) Shukla Gunj, District Unnao (Uttar Pradesh) have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1977.

[No. S. 35019(446)/77-PF. II(i)]

का० आ० 650.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जून, 1977 से मैसेर्स राजकमल ट्रांसपोर्ट (प्राइवेट) लिमिटेड, प्रधान कार्यालय तिलक रोड, हैदराबाद-1, जिसमें (1) 1716, क्वीन्स रोड, पीली कोठी, दिल्ली-6 (2) 10-बी, म्यूनिसिपल गोदाम, कमला, वरबाजा किंग रोड, सूरत-3, (3) 70, आठ्ठी रामस्वामी अय्यर स्ट्रीट, शिवापेट, सलेम-2 और (4) शुक्ला गंज, जिला उन्नाव, उत्तर प्रदेश स्थित उसकी शाखाएं भी हैं, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(446)/77-पी० एफ० II(ii)]

S.O. 650.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of June, 1977 the establishment known as Messrs. Rajkamal Transport (Private) Limited, Head Office Tilak Road, Hyderabad-1, including its branch at (1) 1716, Queen's Road Pili Kothi, Delhi-6, (2) 10-B, Municipal Godown, Kamela Darwaja, King Road Surat-3, (3) 70 Achi Ramaswamy Iyer Street Shevapet, Salem-2 and (4) Shukla Gunj, District Unnao (Uttar Pradesh), for the purposes of the said proviso.

[No. S. 35019(446)/77-PF. II(ii)]

का० आ० 651.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स द्वारका गैस सर्विस द्वाराका नगर, विशाखापत्तनम-4 इसमें (1) शिपयार्ड कॉलोनी, विशाखापत्तनम-4 और (2) कान्चरापालम, विशाखापत्तनम-4 स्थित इसकी शाखाएं भी हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(453)/77-पी० एफ० II]

S.O. 651.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Dwaraka Gas Service, Dwarakanagar, Visakhapatnam-4 including its branches at (1) Shipyard Colony, Visakhapatnam-4 and (2) Kancharapalam, Visakhapatnam-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1977.

[No. S. 35019(453)/77-PF-II]

का० आ० 652.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 31 जुलाई, 1977 से मैसर्स एम० आई० एस० एल० इम्प्लाइज जनरल रिटायरमेंट कोऑपरेटिव सोसाइटी लिमिटेड, ट्रेनीज ब्लॉक सं० 9 कमरा सं० 1, न्यू टाउन, भद्रावती, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(457)/78-पी० एफ० II(ii)]

S.O. 652.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty first day of July, 1977 the establishment known as Messrs M.I.S.L. Employees General Retirement Co-operative Society Limited, Trainees Block No. 9, Room No. 1, New Town, Bhadravathi for the purposes of the said proviso.

[No. S. 35019(457)/77-PF-II(ii)]

का० आ० 653.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मैसर्स वाहन प्रोडक्ट्स लिमिटेड, नं० 4 बाल्टन रोड, बंगलोर-1 इसमें (1) पोस्ट बाक्स सं० 726, मंगलोर (2) टी० डी० रोड, कोचीन-11 (3) एम० बी० हुबली बिल्डिंग्स, न्यू काटन मार्केट, हुबली (4) पोस्ट बाक्स सं० 51 बेलारी और (5) रिश्माण्ड टाउन, बंगलोर स्थित इसकी शाखाएं भी हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(459)/77-पी० एफ० II(i)]

S.O. 653.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mysore Wine Products Limited, No. 4 Walton Road Bangalore-1 including its branches at (1) Post Box No. 726, Mangalore, (2) T. D. Road, Cochin-11, (3) M. V. Hubli Buildings, New Cotton Market, Hubli (4) Post Box No. 51, Bellary and (5) Richmond Town, Bangalore-25, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1977.

[No. S. 35019(459)/77-PF-II(i)]

का० आ० 654.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मेटलर आटो (प्राइवेट) लिमिटेड, रजिस्ट्रिकृत कार्यालय 1/2785, लोथियन मार्ग, कश्मीरी गेट, दिल्ली-6, जिसमें 12/1 मथुरा मार्ग, फरीदाबाद स्थित उसकी शाखा कार्यालय भी है नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(460)/77-पी० एफ० II(i)]

S.O. 654.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mettler Auto (Private) Limited, Registered Office 1/2785, Lothian Road, Kashmere Gate, Delhi-6 including its Branch Office at 12/1, Mathura Road, Faridabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1975.

[No. S-35019(460)/77-PF-II(i)]

का० आ० 655.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 दिसम्बर, 1975 से मैसर्स मेटलर आटो (प्राइवेट) लिमिटेड, रजिस्ट्रिकृत कार्यालय 1/2785, लोथियन मार्ग, कश्मीरी गेट, दिल्ली-6 जिसमें 12/1 मथुरा मार्ग, फरीदाबाद स्थित इसका शाखा कार्यालय भी है नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(460)/77-पी० एफ० II(ii)]

S.O. 655.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the First day of December, 1975 the establishment known as Messrs Mettler Auto (Private) Limited, Registered Office 1/2785, Lothian Road, Kashmere Gate, Delhi-6 including its branch Office at 12/1, Mathura Road, Faridabad, for the purpose of the said proviso.

[No. S-35019(460)/77-PF-II(ii)]

का० आ० 656.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स माउथ इण्डिया फ्राइड ग्राम मिल्स, माधवराग हाई मार्ग, माधवराग, मद्रास-60, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(462)/77-पी० एफ० II]

S.O. 656.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs South India Fried Gram Mills, Madhavaram High Road, Madhavaram, Madras-60, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S-35019(462)/77-PF-II]

का० आ० 657.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एराकॉ एन्टरप्राइजेज, 1, आर्कोट रोड, सालिग्रामम, मद्रास-26 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(464)/77-पी० एफ० II]

S.O. 657.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Arakay Enterprises, 1, Arcot Road Saligramam, Madras-26 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1977.

[No. S-35019/464/77-PF.II]

का० आ० 658.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूनिवर्सल इन्स्ट्रूमेंट्स सर्विसेज कम्पनी (प्राइवेट) लिमिटेड, 137 रेजवे रीरलन मार्ग, कुमारपार्क, पश्चिम बंगलौर-20, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

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अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(466)/77-पी० एफ० II]

S.O. 658.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Universal Instruments Servicing Company (Private) Limited, 137, Railway Parallel Road, Kumarapark West, Bangalore-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1977.

[No. S-35019(466)/77-PF.II]

का० आ० 659.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी० के० नेदुंगदी एण्ड ब्रादर्स, व्हाइट शॉप, पल्हाट, केरल, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(468)/77-पी० एफ० II]

S.O. 659.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. K. Nedungadi and Brothers, White Shop, Palghat Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1977.

[No. S-35019(468)/77-PF.II]

नई दिल्ली, 16 फरवरी, 1978

का० आ० 660.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के अर्थ मंत्रालय की अधिसूचना सं० का० आ० 795 तारीख 23 फरवरी, 1977, का० आ० 2785 तारीख 18 अगस्त, 1977 और का० आ० 3353 तारीख 18 सितम्बर, 1976 के अनुक्रम में इससे उपावृद्ध अनुधुवी में विनिर्दिष्ट भारतीय तेल निगम लिमिटेड, मुम्बई के कारखानों को उक्त अधिनियम के प्रवर्तन से 31 अगस्त, 1977 से 30 जून, 1978 तक की जिसके अन्तर्गत यह तारीख भी है, और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् 'उक्त अवधि' कहा गया है), ऐसी विवरणियों जैसे प्रारूप में और ऐसी विनिर्दिष्टों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उक्त अवधि की बाबत देनी थी,
- (2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अर्थों में नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—
 - (i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणों की विनिर्दिष्टों को सत्यापित करने के प्रयोजनार्थ; या
 - (ii) यह अभिविधित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा-अपेक्षित रजिस्टर और अभिलेख का, उक्त अवधि के लिए रखे गए थे या नहीं; या
 - (iii) यह अभिविधित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिकलस्वरूप इस अधिवृत्तना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
 - (iv) यह अभिविधित करने के प्रयोजनार्थ कि उस अवधि के दौरान, अब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या
- (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगार्थिन किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या अव्यवहित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्ति-युक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की तकल तैयार करना या उससे उद्धरण लेना ।

अनुसूची

क्रम सं०	राज्य या संघ क्षेत्र का नाम	क्षेत्र का नाम	कारखाने का नाम
1	2	3	4
1.	आन्ध्र प्रदेश	विशाखा-पत्तनम	भारतीय तेल निगम लिमिटेड (विपणन खंड), पो० बाक्स सं० 54, मलकापुरम प्रतिष्ठान, विशाखापत्तनम ।
2.	आन्ध्र प्रदेश	सिकन्दराबाद	भारतीय तेल निगम लिमिटेड, (विपणन खंड), पी० बाक्स सं० 1634, आर० आर० सी० ग्राउन्ड, सिकन्दराबाद ।
3.	आन्ध्र प्रदेश	विजयवाड़ा	भारतीय तेल निगम लिमिटेड, (विपणन खंड), स्टेशन रोड, विजयवाड़ा ।
4.	आन्ध्र प्रदेश	सिकन्दराबाद-14	भारतीय तेल निगम लिमिटेड, विमानतल पथोल स्टेशन, डाकघर हकीमपेट वायुसेना स्टेशन, सिकन्दराबाद-14.
5.	दिल्ली	दिल्ली	भारतीय तेल निगम लिमिटेड, (विपणन खंड), एल०पी०जी० बोटलिंग प्लांट, शकुरबस्ती, दिल्ली-26.
6.	दिल्ली	दिल्ली	भारतीय तेल निगम लिमिटेड, (विपणन खंड), शिवाजीपार्क के सामने, शकुरबस्ती, दिल्ली-26.
7.	दिल्ली	दिल्ली	भारतीय तेल निगम लिमिटेड, विमानतल फ्यूएल स्टेशन, सदर बाजार रोड, मोरलाइन के निकट पालम, दिल्ली केन्ट-10.
8.	केरल	कोच्चिन	भारतीय तेल निगम लिमिटेड, (विपणन खंड), पो० बाक्स सं० 535, विलिंगटन दीप, बारबर रोड, कोच्चिन-3.
9.	केरल	कोच्चिन	भारतीय तेल निगम लिमिटेड, (विपणन खंड), कोच्चिन शोधक प्रतिष्ठापन, पो० बाक्स सं० 8, त्रिपुनितुरा, वाया कोच्चिन ।
10.	केरल	कोच्चिन	भारतीय तेल निगम लिमिटेड, (विपणन खंड), कर्पक रोड, पो० बेग 1759, एर्नाकुलम, कोच्चिन-6.
11.	तमिलनाडु	मद्रास	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिविजन), इनोव हाई रोड, मद्रास ।
12.	तमिलनाडु	मद्रास	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिविजन), कोरुपेट, मद्रास-21.
13.	तमिलनाडु	मद्रास	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिविजन), नार्थ रेलवे टर्मिनस रोड, रोयापुरम, मद्रास ।

1	2	3	4	1	2	3	4
14. तमिलनाडु	मद्रास	इंडियन आयल कारपोरेशन लिमिटेड, एविएशन फ्यूल स्टेशन, मोना-नबक्कम एयरपोर्ट, मद्रास।		29. पश्चिम बंगाल	कलकत्ता	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), दमबम एविएशन फ्यूल स्टेशन, दमबम एयरपोर्ट कलकत्ता।	
15. तमिलनाडु	मद्रास	इंडियन आयल कारपोरेशन लिमिटेड, ट्यूब न्लेडिंग प्लान्ट, एन्नेर हार्ई रोड, टन्डीयरपेट-तिरुवेथियूर पोस्ट, मद्रास-81.		30. पश्चिम बंगाल	कलकत्ता	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन) मोरीग्राम इन्स्टालेशन, डाकघर राधादासी, जिला हावड़ा।	
16. महाराष्ट्र	मुम्बई	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन) सरकारी खाद्यान्न गोशाला के निकट, बडोला, मुम्बई-31		31. पश्चिम बंगाल	पहाड़पुर	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), पहाड़पुर इन्स्टालेशन, पश्चिम बंगाल।	
17. महाराष्ट्र	मुम्बई	इंडियन आयल कारपोरेशन लि०, (मार्केटिंग डिवीजन), टाटा थर्मल पावर प्लान्ट के 'निकट, ट्रामबे, कारोडोर रोड, मुम्बई-74		32. पश्चिम बंगाल	24 परगना	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), बज-बज इन्स्टालेशन, डाकघर बज-बज, 24 परगना, पश्चिम बंगाल।	
18. महाराष्ट्र	मुम्बई	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), सेवारी रेलवे स्टेशन के सामने, मुम्बई-15.		33. आसाम	गोहाटी	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), गोहाटी इन्स्टालेशन, गोहाटी।	
19. महाराष्ट्र	पुणे	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), राजबहापुर मोतीलाल रोड, पुणे।		34. बिहार	पटना	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), पटना इन्स्टालेशन, पटना।	
20. महाराष्ट्र	मुम्बई	इंडियन आयल कारपोरेशन लिमिटेड, एविएशन फ्यूल स्टेशन, शान्ता-क्रुज एयरपोर्ट, मुम्बई-29		35. उत्तर प्रदेश	आगरा	भारतीय तेल निगम लिमिटेड, (विपणन खण्ड), खेड़िया विमान क्षेत्र, आगरा-8.	
21. कर्नाटक	बंगलौर	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), नागडी रोड, पोस्ट बैग सं० 3, बंगलौर-23.		36. केरल	तूतीकोरिन	भारतीय तेल निगम लिमिटेड, (विपणन खण्ड), तूतीकोरिन प्रतिष्ठापन, हारबर परियोजना परिसर, तूतीकोरिन-4	
22. कर्नाटक	बंगलौर	इंडियन आयल कारपोरेशन लिमिटेड, एविएशन फ्यूल स्टेशन, बंगलौर एयरपोर्ट, बंगलौर।		37. उड़ीसा	कटक	भारतीय तेल निगम लिमिटेड, (विपणन खण्ड), शोकापुर, डाकघर चौलीगंज, कटक।	
23. आन्ध्र प्रदेश	हैदराबाद	इंडियन आयल कारपोरेशन लिमिटेड, एविएशन फ्यूल स्टेशन, बेगमपेट एयरपोर्ट, हैदराबाद।		38. गोवा	वास्कोडिगामा	भारतीय तेल निगम लिमिटेड, (विपणन खंड), वास्कोडिगामा, गोवा।	
24. पंजाब	जलन्धर	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), रेलवे गुड्स शेड रोड, जलन्धर।		39. कर्नाटक	बंगलौर	भारतीय तेल निगम लिमिटेड, (विपणन खंड), बंगलौर प्रतिष्ठान, बंगलौर।	
25. हरियाणा	ग्रम्बाला कैन्टोनमेंट	इंडियन आयल कारपोरेशन लि०, (मार्केटिंग डिवीजन), बस्क सेन्टर, ग्रम्बाला कैन्टोनमेंट।		40. उत्तर प्रदेश	कानपुर	भारतीय तेल निगम लिमिटेड, रिफाइनरीज और पाइप लाइन डिवीजन, कानपुर टी स्टेशन, ग्रमपुर, कानपुर।	
26. हरियाणा	हिसार	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), हिसार।		व्याख्यात्मक भाषण			
27. उत्तर प्रदेश	कानपुर	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), ग्रामपुर, कानपुर।					
28. महाराष्ट्र	नागपुर	इंडियन आयल कारपोरेशन लिमिटेड, (मार्केटिंग डिवीजन), मोतीबाग, नागपुर।		इस मामले में छूट को पूर्णपेक्षी प्रभाव देना आवश्यक हो गया है, क्योंकि छूट के संशुद्धी संबंधी प्रस्ताव पर कार्रवाई करने में समय लगा। तथापि यह प्रमाणित किया जाता है कि जिन परिस्थितियों में कारखाने को मूल रूप में छूट प्रदान की गई थी, वे अभी तक विद्यमान हैं और कारखाना छूट के लिए पात्र है। यह भी प्रमाणित किया जाता है कि पूर्णपेक्षी प्रभाव से छूट की संशुद्धी किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं डालेगी।			

New Delhi, the 16th February, 1978

SCHEDULE

S.O. 660—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 795 dated the 23rd February, 1977, S.O. 2785 dated the 18th August, 1977 and S.O. 3353 dated 18th September, 1976, the Central Government hereby exempts the factories, specified in the Schedule annexed hereto, belonging to the Indian Oil Corporation Limited, Bombay, from the operation of the said Act for a further period with effect from 31st August, 1977 upto and inclusive of the 30th June, 1978.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulation, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of Section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory;
- be empowered to —

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in-charge thereof to produce to such Inspector or other Official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

S. No.	Name of the State or Union Territory	Name of Area	Name of factory
1	2	3	4
1.	Andhra Pradesh	Visakhapatnam-I	Indian Oil Corporation Limited (Marketing Division), Post Box No. 54, Malkapuram Installation, Visakhapatnam-1.
2.	Andhra Pradesh	Secunderabad	Indian Oil Corporation Limited (Marketing Division), Post Box No. 1634, RRC Ground, Secunderabad.
3.	Andhra Pradesh	Vijayawada	Indian Oil Corporation Limited, (Marketing Division), Station Road, Vijayawada.
4.	Andhra Pradesh	Secunderabad-14.	Indian Oil Corporation Limited, Aviation Fuel Station, Post Office Hakimpet Air Force Station, Secunderabad-14.
5.	Delhi	Delhi	Indian Oil Corporation Ltd. (Marketing Division), L.P.G. Bottling Plant, Shakurbasti, Delhi -26.
6.	Delhi	Delhi	Indian Oil Corporation Limited, (Marketing Division), Opposite Sivaji Park, Shakur basti, Delhi-26.
7.	Delhi	Delhi	Indian Oil Corporation Limited, Aviation Fuel Station, Sadar Bazar Road, Near More line, Palam, Delhi Cantt.-10.
8.	Kerala	Cochin	Indian Oil Corporation Limited, (Marketing Division), Post Box No. 535, Willington Island, Harbour Road, Cochin-3.
9.	Kerala	Cochin	Indian Oil Corporation Limited (Marketing Division), Cochin Refinery), Installation, Post Box. No. 8, Tripunithura, Via Cochin.
10.	Kerala	Cochin	Indian Oil Corporation Limited, (Marketing Division), Karshaka Road Post Bag 1759, Ernakulam, Cockin-6.
11.	Tamil Nadu	Madras	Indian Oil Corporation Limited, (Marketing Division), Ermove High Road, Madras.

1	2	3	4	1	2	3	4
12. Tamil Nadu	Madras	Indian Oil Corporation Limited, (Marketing Division), Korukupet Madras-21		26. Haryana	Hissar	Indian Oil Corporation Limited, (Marketing Division), Hissar.	
13. Tamil Nadu	Madras	Indian Oil Corporation Limited, (Marketing Division), North Railway Terminus Road, Royapuram, Madras.		27. Uttar Pradesh	Kanpur	Indian Oil Corporation Limited, (Marketing Division), Armapore, Kanpur.	
14. Tamil Nadu	Madras	Indian Oil Corporation Limited, Aviation Fuel Station, Meenambakkam Airport, Madras.		28. Maharashtra	Nagpur	Indian Oil Corporation Limited, (Marketing Division) Moti Bag, Nagpur.	
15. Tamil Nadu	Madras	Indian Oil Corporation Limited, Tube Blending Plant, Ennere High Road, Teniarpet Tiruvethiyur Post, Madras-81.		29. West Bengal	Calcutta	Indian Oil Corporation Limited, (Marketing Division), Dum Dum Aviation Fuel Station, Dum-Dum Airport, Calcutta.	
16. Maharashtra	Bombay	Indian Oil Corporation Limited, (Marketing Division), Near Government Food Grains Godowns Wadala, Bombay-31.		30. West Bengal	Calcutta	Indian Oil Corporation Limited, (Marketing Division), Mourigram Installations, Post Office, Radhadasi, District, Howrah.	
17. Maharashtra	Bombay	Indian Oil Corporation Limited, (Marketing Division), Near Tata Thermal Power Plant, Trombay, Corridor Road, Bombay-74.		31. West Bengal	Paharpur	Indian Oil Corporation Limited, (Marketing Division), Paharpur Installations, West Bengal.	
18. Maharashtra	Bombay	Indian Oil Corporation Limited, (Marketing Division), Opposite Sewaree Railway Station, Bombay-15.		32. West Bengal	24 parganas	Indian Oil Corporation Limited, (Marketing Division), Budge Budge Installations, Post Office Budge Budge, 24 Parganas, West Bengal.	
19. Maharashtra	Poona	Indian Oil Corporation Limited (Marketing Division), Rajbahadur Motilal Division), Road, Poona.		33. Assam	Gauhati	Indian Oil Corporation Limited, (Marketing Division), Gauhati Installation, Gauhati.	
20. Maharashtra	Bombay	Indian Oil Corporation Limited, Aviation Fuel Station, Santa Cruze Airport, Bombay-29.		34. Bihar	Patna	Indian Oil Corporation Limited (Marketing Division), Patna Installation, Patna.	
21. Karnataka	Bangalore	Indian Oil Corporation Limited, (Marketing Division), Nagadi Road Post Bag No. 3. Bangalore-23.		35. Uttar Pradesh	Agra	Indian Oil Corporation Limited, (Marketing Division), Kheria Air Field, Agra-8.	
22. Karnataka	Bangalore	Indian Oil Corporation Limited, Aviation Fuel Station, Bangalore Airport, Bangalore.		36. Kerala	Tuticorin	Indian Oil Corporation Limited, (Marketing Division), Tuticorin Installations, Harbour Project Premises, Tuticorin-4.	
23. Andhra Pradesh	Hyderabad	Indian Oil Corporation Limited, Aviation Fuel Station, Begumpet Airport, Hyderabad.		37. Orissa	Cuttack	Indian Oil Corporation Limited, (Marketing Division), Shikapore, P.O. Chauliganj, Cuttack.	
24. Punjab	Jullundur	Indian Oil Corporation Limited, (Marketing Division), Railway Goods Shed Road, Jullundur.		38. Goa	Vasco-de-Gama	Indian Oil Corporation Limited, (Marketing Division), Vasco-de-Gama, Goa.	
25. Haryana	Ambala Cantonment	Indian Oil Corporation Limited, (Marketing Division), Bulk Centre, Ambala Cantonment.		39. Karnataka	Mangalore	Indian Oil Corporation Limited, (Marketing Division), Mangalore Installations, Mangalore.	
				40. Uttar Pradesh	Kanpur	Indian Oil Corporation Limited, (Refineries and Pipe lines Division), Kanpur 1 Station, Armapur, Kanpur.	

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the proposal for exemption took time. However, it is certified that the conditions under which the factory was initially granted exemption still persist and the factory is eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S.38017/5/76-HI]

नई दिल्ली, 17 फरवरी, 1978

का० आ० 661.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० आ० 3832 तारीख 9 नवम्बर, 1977 के अनुक्रम में बी इंडियन आयल ब्लेंडिंग लिमिटेड पी-68 सी० सी० धार० शाहजर्जन रोड, फारपुर कलकत्ता, और इंडियन आयल ब्लेंडिंग लिमिटेड पिर पौ ट्राम्बो, बम्बई-74 को उक्त अधिनियम के प्रवर्तन से 1 जनवरी, 1978 से 30 जून, 1978 तक जिसमें यह विन भी सम्मिलित हैं की और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् 'उक्त अवधि' कहा गया है), ऐसी विवरणियाँ, ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थीं;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी —

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत बी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या

(ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख का, उक्त अवधि के लिए रखे गए थे या नहीं; या

(iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, मकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

(iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उस कारखाने के सम्बन्ध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सहायक होगा :—

(क) प्रधान या अध्यक्षित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अध्यक्षित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के सन्दाय से संबंधित

ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अध्यक्षित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की नकल तैयार करना या उससे पदधरण लेना।

व्याख्यात्मक भाषण

इस मामले में पूर्वापेक्षी प्रभाव से छूट देनी आवश्यक हो गई क्योंकि छूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगा। तथापि, यह प्रमाणित किया जाता है कि जिन परिस्थितियों में कारखाने को प्रारंभ में छूट दी गई थी वे अभी भी विद्यमान हैं और कारखाना छूट का पात्र है। यह भी प्रमाणित किया जाता है कि पूर्वापेक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं० एस-38014/34/77-एस० आई०]

एस० एस० सहस्रानामन, उप सचिव

New Delhi, the 17th February, 1978

S.O. 661.—In exercise of the powers conferred by Section 88 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 3832 dated the 9th November, 1977, the Central Government hereby exempts Indian Oil Blending Limited, P. 68, C.C.R. Diversion Road, Paharpur Calcutta and Indian Oil Blending Limited, Pir Rau Trombay, Bombay-74, from the operation of the said Act for a further period with effect from the 1st January, 1978 upto and inclusive of the 30th June, 1978.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any, return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash each and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act has been complied with during the period when

such provisions were in force in relation to the said factory ;
be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption too time. However, it is certified that the conditions under which the factory was initially granted exemptions till persist and the factory is eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S. 38014/34/77-HI]

S. S. SAHASRANAMAN, Dy. Secy.

New Delhi, the 14th February, 1978

S.O. 662.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur in the industrial dispute between the employers in relation to the Management of Diamond Mining Project of M/s. National Minerals Development Corporation, Panna and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT,

JABALPUR (M.P.)

Case No. CGIT/LC(R)(56) of 1975

PARTIES :

Employers in relation to the Management of Diamond Mining Project of Messrs. National Minerals Development Corporation Limited Panna and their workmen Shri Rolstan John, Mechanic-cum-operator, Grade III, Majhagawan resident of WZ-366 Siri Nagar, Shakoor Basti, Delhi-34.

APPEARANCES :

For Management—Shri P. S. Nair, Advocate.

For Workman—Shri K. L. Raj, Advocate.

INDUSTRY : Diamond Mine DISTRICT : Panna (M.P.).

Dated : 19th December, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its order No. L-29011/85/75/DIII/B dated the 30th October 1975 for the adjudication of the following industrial dispute :

“Whether the Management of Diamond Mining Project of M/s. National Mineral Development Corporation

Ltd., Panna, is justified in terminating the service of their employee, Sri Rolstan John., Mechanic-cum-operator, Grade III Majhagawan with effect from the 30th July 1974 ?

If not, to what relief is the workman entitled ?”.

2. The undisputed facts of the case are that after the expiry of leave from 23rd to 29th July 1974 the workman failed to join back his duties on 30th of the month. No application or telegram for extension of leave was sent upto that date by him from Delhi where he remained during the sanctioned leave period. On 9-8-1974 the management treated his continued unauthorised absence as abandonment resulting in ‘automatic termination of his lien to his appointment’ and an order to that effect was passed. He raised the dispute before conciliation officer when the management turned a deaf ear to his oral and written representations and on failure of conciliation the present reference was made.

3. Workmen's case is that as his mother's condition suddenly deteriorated and there was nobody to look after her at Delhi he had to overstay. He sent an application for extension of leave upto 6-8-1974 by post on 2-8-1974. He came back to Majhagawan and joined his duties on 7-8-1974 and worked on that day as well as on 8-8-1974. However on 8-8-1974 at 2.30 P.M. E.E. (M) advised him to contact A.O. at Panna office. On 9-8-1974 when he again went to his duty he was again asked to go and see A.O. at Panna office. He went there. A.O. however told him that he had not called him and the workman returned back but by that time E.E.(M) had left hence he reported the fact to the Foreman (M). When next day on 10th he went to the E.E.(M) he was not taken on duty. He told that he was under instructions restrained from allowing him on duty. In the evening when approached through the Union the Mines Manager gave it in writing that he was not taken on duty as he lost the lien because of his absence.

4. All this action is alleged to be illegal and malafide because he had in the past agitated for his promotion when another less qualified outsider had been given the senior post ignoring his claim. The annoyed management started marking him absent even when he was working and he was charge sheeted for such manipulated long absence. But he contested it and ultimately the charges were withdrawn. The application for extension of leave was received and sanctioned by the Management. The clause relating to abandonment of service appearing in the standing orders did not apply to the facts of his case. The termination of service done in this manner was illegal and malafide. Since that date he is neither doing any business nor is he in any service hence reinstatement with full back wages has been claimed.

5. Management has while denying all the above allegations of the workman has alleged a long and consistent history of his similar absentism. He is alleged to have subsequently made wild false, allegations against the then General Manager Sri Upadhyay and has thus forfeited confidence more so because in a subsequent police report it was discovered that Shri Rolstan John's name figured amongst the suspects in a diamond theft case investigation. Reinstatement in any case is opposed on the ground of loss of confidence.

6. The reference is alleged to be bad because Section 2-A of the Industrial Disputes Act does not apply to a case of automatic termination. A workman has no right to sponsor his own dispute as and industrial dispute. No union has sponsored it. Hence in the absence of a properly raised industrial dispute the reference is alleged to be bad and not maintainable. Though this point was answered in favour of the validity of the reference in the Award given on 19-8-76 yet it has to be decided afresh in view of that Award being quashed as a whole by the High Court, which has directed this Tribunal to decide all points afresh. The weight of evidence produced after the remand and the facts proved have now materially changed the situation and have therefore materially affected the result.

7. Clause 24(e) of Standing Orders runs as follows :

“If a workman remains absent beyond the period of leave originally granted or subsequently extended he shall lose lien on his appointment unless :—

- (i) he returns within 10 days of expiry of his leave and

- (ii) explains to the satisfaction of the Management his inability to return on the expiry of his leave."

In National Engineering Industry Ltd. Vs. Hanuman 2 SCLJ 1037 the workman similarly overstayed his sanctioned leave and did not return within 10 days. The standing order provided that the absence for more than the specified period would result in the worker losing his lien on the appointment. The Supreme Court held that on the happening of the contingency i.e. on the expiry of the statutory period the service stood automatically terminated and such automatic termination would not mean termination of the service by the management hence such automatic termination would not mean contravention of the provisions of Section 33 of the Industrial Disputes Act. On the same analogy it is argued that the automatic termination of the service within the meaning of the similarly worded clause 24(e) of Standing Orders would not mean termination of service by the Management and as such the workman will have no right to raise the dispute under section 2A of the Industrial Disputes Act which contemplates termination at the instance of the Management. It follows according to this argument that no industrial dispute came into existence and the reference was void on that account.

8. In that case Supreme Court approved the decision in Chanda Bai Uma Vs. the Elephant Oil Mills Ltd. 1951 (I) LLJ 370 where the provision was almost exactly similar as in the present case that the worker would lose his appointment unless he returned within 8 days and gave explanation to the satisfaction of the authority. The Supreme Court held that the phrase 'losing lien on his appointment' and 'losing the appointment' are synonymous and carry the same meaning. It follows on the application of the view expressed in the above case that if in the present case the workman did not return within 10 days or even if he returned within that period but did not or could not submit an explanation to the satisfaction of the Management, his service would stand automatically terminated.

9. As for the return of Shri Rolstan John within 10 days of the expiry of sanctioned leave the facts proved on the record may be analysed as follows. It is true that the Management at first took the plea that even his leave for the period from 23rd to 29th July 1974 was never sanctioned. However subsequently it admitted that the leave was sanctioned. This change in the stand may speak of management's intentions but so far as factual position is concerned it now emerges as an admitted fact that the leave for that period was sanctioned. This position in any case is more favourable to the employee than the position that even that leave was never sanctioned.

10. After that sanctioned leave the workman was to join his duty at Majhgawan on 30th July, 1974. He says that he came and joined his duty on the 7th August 1974 i.e. he reached back to the duty point on the 9th day. The attendance register of the 7th August, 1974 shows the mark 'A' but on seeing through a convex lense it becomes obvious that at that place some other letter or figure was first written. It was then subsequently erased and then 'A' mark was put. On that account the paper at that place has become thin and rough leaving some ink marks of the rubbed out letter or figure and the writing of letter 'A' has thus appeared in deeper ink. This indicates that perhaps Sri Rolstan John appeared on duty on the 7th August 1974 and was at first marked accordingly but then the management manipulated the absent mark after erasure of the earlier entry. This was a dishonest act of the management as it had at first taken the dishonest plea that leave for the period from 23rd to 29th July 1974 was not sanctioned. There are no words strong enough to condemn the taking of this sort of dishonest plea and tempering with the attendance record specially when the industry is a public sector organisation. In fact neither that tempering with the record nor the raising of the false plea was necessary in this case. They are simply the acts of indiscreet foolishness arising out of nervousness. No other workman in such an organisation where the management is so bitterly pitted against a workman, can dare to stand in the witness box for supporting his plea that he had appeared on 7th August 1974. Hence I am inclined to believe the solitary oral statement of Sri Rolstan John that he infact reported for duty on 7th August 1974. I believe him in this respect because of the erasures etc. as discussed above even though Sri Rolstan John has also told blatant lies and raised

false pleas in other respects. The management witnesses are disbelieved on this point for the aforesaid reasons.

11. This proof may fulfil only one of the two conditions contemplated in Rule 24(e) of Standing Orders. It was further incumbent on the employee to explain to the satisfaction of the management about his inability to return on the expiry of his leave i.e. on 30th July 1974, I am of the view that Sri Rolstan John has miserably failed in that respect. It is alleged that he had sent an application for extension of leave from Delhi, under certificate of posting. The receipt of certificate of posting dated 2-8-1974 has been filed. It is Ex. W-33. The leave expired on 29th July hence for joining his duty at Majhgawan about 500 Kms. away from there, it was necessary for him to leave Delhi on 29th by noon at the latest. Thus it was on 29th evening that he should have taken a decision about applying for extension of leave. No application was sent on that day and no reason has been given as to why application for extension was not sent on that day or even on the following day i.e. on 30th July, 1974.

12. Then even if it is believed that he sent such an application for extension of leave on 2-8-1974, which according to the management was never received the leave application mentioned, as per pleadings of the workman, that the extension of leave was sought due to the fact that his mother's condition suddenly deteriorated. This was obviously a false plea because as admitted by the workman in the rejoinder and as proved by Dr. P. K. Sharma, M.W.3 that Mrs. Leelawati John mother of Sri Rolstan John workman, who was a Lady Health Visitor at Maternity and Child Welfare Centre, Shakurbasti, Delhi, did join her duties on the 30th July 1974. This means that she must have recovered of her ailment, if any, on 29th July 1974 so that she was fit to join her duty next day. Dr. Sharma has stated that she was on duty not only on 30th July 1974 but from that day onwards she continued to attend her duty everyday till 6th August 1974. Under the circumstances the plea of her sudden deterioration of condition as the reason for extension of leave was false and no management can be held to be satisfied by such a false plea about the continued absence after the expiry of leave. It is thus clear that even though it is believed that Sri Rolstan John might have reported for duty within 10 days of the expiry of sanctioned leave yet he could not and in fact did not satisfy the management of his inability to attend on the expiry of the said sanctioned leave. This as discussed above brought his case squarely within the mischief of clause 24(e) of the Standing Orders and his service terminated automatically.

13. The standing orders do contain an alternate provision that long absence is a misconduct for which the punishment of termination of service can be awarded only after framing the charge and after holding regular enquiry. According to the view expressed in National Engineering Industries Vs. Hanuman existence of such an alternate provision does not operate against automatic termination of service on the happening of the contingency contemplated in clause 24(e) unless it is shown that resort to one particular provision was due to mala fide. In K. S. Bansal Vs. Indian Air Lines (Delhi), 1977 SLJ 385 Delhi High Court relied on Jubbulpore Electric Supply Co. Vs. Sambhu Prasad AIR 1966 S. C. 1288 (1291) and held that in case of existence of such alternate provisions the choice rests with the management to take action under one or the other of the provisions and the same cannot be challenged unless mala fides are alleged and proved showing that action under one and not the other was only a colourable exercise of power. No such colourable exercise of power can be presumed simply because the management resorted to one of the two alternate courses open to it, as was held in Tata Engineering and Locomotive Co. Vs. Prasad 1969(2) LLJ 799 S. C. In the present case neither the written statement of the workman nor the rejoinder raises any such plea that the management resorted to clause 24(e) instead of treating overstayed as misconduct because of mala fides. There is therefore no need to go into that question. Sufficient to say that whereas the pleaded mala fides only two in number, one relating to the annoyance arising out of some representation made against posting an outsider to a senior post overlooking the claim of Sri Rolstan John and the other making him absent falsely in April 1974 and charge sheeting him for the same, have not been proved, the evidence on unpleaded mala fides can hardly be looked into. Moreover the conducts, complaints and suspicions arising after the automatic termination which are either not proved by cogent evidence or proved to be utterly false can at best be the consequence of such

termination when the parties came down to personal mud-slinging they cannot and do not indicate malice as cause of the said termination for which it should have existed prior to it. Resorting to one of the two alternate provisions i.e. to the provision relating to automatic termination cannot therefore be questioned as mala fide and colourable exercise of power.

14. Thus it was a case of automatic termination of service under clause 24(e) of Standing Orders to the act of employee himself hence it was not a termination of service by the management and as such it was not a termination falling under Sec. 2A of the Industrial Disputes Act. The workman therefore could not raise the industrial dispute and no union has sponsored it. Thus the dispute of termination remained only an individual dispute. In the absence of the existence of a factual or even notional industrial dispute the Government of India was not competent to make the present reference and it deserves to be rejected on this ground. Award is given accordingly.

S. N. JOHRI, Presiding Officer

[No. L-29011/85/75-D-III.B.]

JAGDISH PRASAD, Under Secy.

S.O. 663.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the application under Section 33A made by 19 workmen of Bhowra Colliery of Bharat Coking Coal Limited, which was received by the Central Government on the 10th February, 1978.

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT NO. 3, DHANBAD**

Complaint Case No. 2 of 1976

PARTIES :

Mohammad Mia and 18 others, Wagon Loaders of Bhowra Colliery (North) represented by Rashtriya Colliery Mazdoor Sangh, Dhanbad—Applicants.

Vs.

Shri C. K. V. N. Rao, Superintendent, Bhowra Colliery (North), Bharat Coking Coal Ltd., P.O. Bhowra, Distt. Dhanbad and two others—Opp. Parties.

APPEARANCES :

For Applicants—Shri P. K. Bose.

For Non-Applicants—Shri B. Joshi, Advocate.

INDUSTRY : Coal

STATE : Bihar

Dated: the 2nd February, 1978

AWARD

This is an application U/S 33-A of the Industrial Disputes Act, 1947, by 19 workmen of Bhowra Colliery (North) represented by the Rashtriya Colliery Mazdoor Sangh and prayer is to hold that the opp. parties are not justified in causing change of service conditions of the concerned 19 applicants nor justified in terminating their services and to reinstate them with full wages and other emoluments from the date of stoppage from duty.

2. On behalf of the opp. parties it is said that there is no change in the service condition of the concerned workmen causing any prejudice to them. In fact a notice of change U/S 9-A of the Industrial Disputes Act, 1947 was served upon them as the management had been facing difficulties in providing full employment even to permanent wagon loaders due to erratic and short supply of railway wagons. Accordingly the prayer is to dismiss the complaint petition.

3. It appears that on 21-9-76 there was a discussion between Shri S. B. Khawas, Secretary, Rashtriya Colliery Mazdoor Sangh and Superintendent, Bhowra North and Shri B. D. Singh, Personnel Officer, Bhowra and it was decided

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to convert the 19 concerned applicants from wagon loaders to miners with effect from 27-1-76. Ext. M-2 is the memorandum of settlement incorporating the above term as well as the agreement that the period of absence from 27-1-76 to 25-5-76 shall be treated as leave without pay, but those whose earned leave was due would get their leave wages.

4. Copy of the settlement has been submitted here and it contains the thumb impressions of all the concerned applicants and Md. Hafiz Ansari, Asstt. Secretary representing the union, Rashtriya Colliery Mazdoor Sangh has put his signature. On behalf of the management Shri C. K. V. N. Rao and Shri B. D. Singh have also signed.

5. From the record it appears that Shri P. K. Bose who was authorised to represent the applicants in the case objected to this settlement, probably because he was not consulted and the Rashtriya Colliery Mazdoor Sangh as well as the workmen entered into the settlement. The terms of settlement are advantageous to them and therefore Shri Bose should not have objected to it. But on his account the matter was prolonged for sometime and notices were issued to all the 19 applicants of whom only Lakhman Rai and Abbas Mia received the same personally and signed on the back and others refused to receive the same. MW-1 is a Peon who had taken the notice to them and his report is Ext. M-1. The endorsement on the back of the notices are Ext. M-1/1 to M-1/18.

6. In spite of the notice the concerned workmen did not appear in Court probably because they were satisfied with the terms of settlement and had no grievance on any score. MW-2 the Senior Personnel Officer who is one of the signatories to the settlement has deposed and has stated that the complainants were represented by Sri Md. Hafiz Ansari, Asstt. Secretary, Rashtriya Colliery Mazdoor Sangh who signed in his presence. He has been cross-examined by Shri Bose but the same will indicate that there is nothing therein by which the genuineness of the settlement can be doubted.

7. As the position stands, I am of opinion that the settlement is advantageous to the applicants and no useful purpose will be served by proceeding with this application. Accordingly the same is disposed of in terms of the settlement which will form part of the award.

This is my award.

S. R. SINHA, Presiding Officer

FORM 'H'

(See Rule 58)

Form for memorandum of Settlement

Name of Parties:—

Representing employer

Representing Workmen

1. Sri. C.K.V.N. Rao
Superintendent

1. RCMS Represented by
Sri Md. Hafiz Ansari,
Asstt. Secretary.

2. Shri. B.D. Singh,
Personnel Officer.

2. Mahammad Mia,
3. Shri Abash Mia,
4. Shri Alima Mia,
5. Shri Sobran Bhuia,
6. Shri Mahabir Roy,
7. Shri Lakhman Roy,
8. Shri Pati Rajwar,
9. Shri Kista Rajwar,
10. Shri Siv Prasad,
11. Shri Dukhi Dusadh,
12. Shri Sudhan Rajwar,
13. Shri Lakhman Rao,
14. Shri Aklu Modi,
15. Shri Rohan Mallick,
16. Shri Kedar Mali,
17. Ram Kishun Hazra,
18. Shri Ishwar Dusadh,

SHORT RECITAL OF THE CASE

As discussed with the Secretary R.C.M.S. Bhowra Branch 19 Permanent wagon loaders namely S/Shri Mohammed Mia, Gobinda Bhuia, Abash Mia, Alima Mia, Sobran Bhuia, Mahabir Roy, Lakhan Roy, Pati Rajwar, Kista Rajwar, Shiv Prasad, Hiralal Mallick, Dukhi Dusadh, Sudhan Rajwar, Lakhan Sao, Aklui Modi, Rohan Mallick, Kedar Mali, Ram Kishun Hazra and Ishwar Dusadh were transferred from wagon loading to underground to work as U/G. Loaders under letter No. B(N)/76/M.I./92-97 dated 20-1-76 of the management. Out of these Sri Gobinda Bhuia has resigned and Sri Hiralal Mallick has joined as Shale Picker. The rest of the workmen have been representing through their union for being allowed as Wagon Loader. After prolonged discussion the under mentioned terms of settlement were arrived at between the above mentioned parties:—

TERMS OF SETTLEMENT

1. That S/Shri Mohammed Mia, Abash Mia, Alima Mia, Sobran Bhuia, Mahabir Roy, Lakhan Roy, Pati Rajwar, Kista Rajwar, Shiv Prasad, Dukhi Dusadh, Sudhan Rajwar, Lakhan Sao, Aklui Modi, Rohan Mallick, Kedar Mali, Ram Kishun Hazra and Ishwar Dusadh, shall report as permanent wagon loader at Bhowra (N) Colliery on and from 26-5-76

2. That the period of absence from 27-1-76 to 25-5-76 shall be treated as leave without pay but those whose earn leave are due shall be paid their leave wages.

3. A copy of this settlement shall be submitted to Labour Court Tribunal No. III as the dispute bearing case No. L C-2/76 stands amicably resolved.

Signatures of parties.—

Signature of parties.—

Representing Employer—

Representing Workmen—

- | | |
|---------------------------|--|
| 1. Shri C.K.V.N. Rao Sd/- | 1. R.C.M.S. represented by Shri Md. Hafiz Ansari, Asstt. Secy. |
| 2. Shri B.D. Singh Sd/- | 2. Shri Mahammad Mia, Sd/- L.T.I. |
| | 3. Shri Abash Mia, Sd/- L.T.I. |
| | 4. Shri Sobran Bhuia, Sd/- L.T.I. |
| | 5. Shri Mahabir Roy Sd/- L.T.I. |
| | 6. Shri Lakhan Roy Sd/- L.T.I. |
| | 7. Shri Pati Rajwar Sd/- L.T.I. |
| | 8. Shri Kista Sd/- L.T.I. |
| | 9. Shri Siv Prasad Sd/- L.T.I. |
| | 10. Shri Dukhi Dusadh Sd/- L.T.I. |
| | 11. Shri Sudhan Rajwar Sd/- L.T.I. |
| | 12. Shri Lakhan Sao Sd/- L.T.I. |
| | 13. Shri Aklui Modi Sd/- L.T.I. |

- | |
|---------------------------------------|
| 14. Shri Rohan Mallick Sd/- L.T.I. |
| 15. Shri Alima Mia Sd/- L.T.I. |
| 16. Shri Kedar Mali Sd/- L.T.I. |
| 17. Shri Ram Kishun Hazra Sd/- L.T.I. |
| 18. Shri Ishwar Dusadh Sd/- L.T.I. |

WITNESSES:—

(1)

(2)

Copy to.—(1) Asstt. Labour Commissioner (C).

(2) Regional Labour Commissioner (C).

(3) Chief Labour Commissioner (C), New Delhi.

(4) The Secretary to the Government of India, Ministry of Labour, New Delhi.

(5) Presiding Officer, Tribunal No. III, Dhanbad.

(6) Chief Personnel Manager, BCCL, Karmik Bhanwan, P.O. Saraidhela, Dhanbad.

Signature:—

Signature:—

Representing Management

Representing Workmen.

1. Shri C.K.V.N. Rao Sd/-

1. DCMS represented by Sri Md. Hafiz Ansari, Asstt. Secretary. Sd/-

2. Shri B.D. Singh Sd/-

2. Shri Mahammad Mia Sd/- L.T.I.

3. Shri Abash Mia. Sd/- L.T.I.

4. Shri Alima Mia Sd/- L.T.I.

5. Shri Sobran Bhuia, Sd/- L.T.I.

6. Shri Mahabir Roy Sd/- L.T.I.

7. Shri Lakhan Roy Sd/- L.T.I.

8. Pati Rajwar Sd/- L.T.I.

9. Shri Kista Rajwar. Sd/- L.T.I.

10. Shri Siv Prasad Sd/- L.T.I.

11. Shri Dukhi Dusadh Sd/- L.T.I.

12. Shri Sudhan Rajwar Sd/- L.T.I.

13. Shri Lakhan Sao Sd/- L.T.I.

14. Shri Aklui Modi Sd/- L.T.I.

15. Shri Rohan Mallick
Sd/- L.T.I.
16. Shri Kedar Mali,
Sd/- L.T.I.
17. Shri Ram Kishun Hazra
Sd/- L.T.I.
18. Shri Ishwar Dusadh
Sd/- L.T.I.

WITNESS.—

- (1)
- (2)

S. R. SINHA, Presiding Officer.

[No. Z-20025/378-D-III(A)]

New Delhi, the 15th February, 1978

S.O. 664.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Collieries of Messrs Tata Iron & Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen, which was received by the Central Government on the 10th February, 1978.

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT NO. 3, DHANBAD**

Reference No. 5 1977

Old No. 21 of 1974

PARTIES :

Employers in relation to the management of Collieries of M/s. Tata Iron & Steel Co. Ltd., Jamadoba, P.O. Jealgora, Dist. Dhanbad.

AND

Their workmen represented by Congress Mazdoor Sangh, Bihar, Jorapokhar No. 1, P.O. Jealgora, Dist. Dhanbad.

APPEARANCES :

For Employers—Sri S. B. Sanyal and Sri N. C. Ganguly, Advocates.

For Workmen—None.

INDUSTRY : Coal

STATE : Bihar

Dhanbad, the 4th February, 1978

AWARD

This is a reference U/S 10(1)(d) of the Industrial Disputes Act, 1947, by the Govt. of India, Ministry of Labour under Order No. L-2012/53/74-LRII dated the 12th September 1974. The schedule is extracted below :—

SCHEDULE

Whether the management of the Collieries of M/s. Tata Iron & Steel Co. Ltd., are justified in not making payment of overtime wages at the rate of one and half times of the ordinary rates of wages to the Clerical and Supervisory staff for working on Sundays ? If not, to what relief are the concerned workmen entitled ?

2. The dispute was sponsored by the President, Congress Mazdoor Sangh, Bihar, Jorapokhar No. 1, P.O. Jealgora, Dist. Dhanbad. The matter was brought before the Conciliation

Officer who submitted his failure report dated 9-5-74 when the present reference was made.

3. The dispute relates to the payment of overtime wages at the rate of one and half times of the ordinary rates of wages to the Clerical and Supervisory staff for working on Sundays. The management involved in the case are M/s. Tata Iron & Steel Co. Ltd.

4. A preliminary point has been raised on behalf of the management that the union operating in the collieries under the management of the Tatas is the Congress Mazdoor Sangh affiliated to I.N.T.U.C. and they are the representative union in the Collieries. On the 22nd March '74 union named Congress Mazdoor Sangh, Bihar, gave a strike notice direct to the Divisional Manager of the collieries along with a charter of demands. Prior to the issuance of the said strike notice no demand was raised before the management of the individual collieries and/or with the management of the Central Office. In the charter of demands no point was mentioned with regard to the supervisory staff.

5. It is accordingly contended that the Bihar Congress Mazdoor Sangh is not a representative union which confers on them the right to raise an industrial dispute with the management and the members of the said union are not directly or substantially interested in the dispute and members of the said union are not the employees of the Tatas. It is also contended that there being no demand concerning the supervisory staff, any reference concerning them is incompetent and in fact the whole reference is incompetent as it has not been sponsored by a representative union of the workmen of the Tatas.

6. On behalf of the union it is said that the issue of representative union is quite irrelevant. The dispute has been validly raised and the Tribunal has got the jurisdiction to adjudicate the dispute. The Congress Mazdoor Sangh represents a substantial number of workmen and the dispute raised is an industrial dispute.

7. From the order-sheet it appears that on 22-10-75 a petition was filed by the management calling for certain documents from the union. The same was, however, not filed on 20-11-75 and none was present on behalf of the union. The then Presiding Officer fixed 24-1-76 for hearing of the preliminary point and directed the union to file the documents 15 days earlier. But on that date no step was taken and none appeared on behalf of the union. No step was taken on 21-2-76 and again on 1-4-76 and the matter was kept pending. On 30-4-76 President of the union appeared and submitted that documents would be produced on the date of hearing.

8. The matter was heard by the learned Presiding Officer on 30-8-1976 and the order is on record. But in fact no order was passed and the Congress Mazdoor Sangh was again directed to file papers called for within 15 days from the date of noting that order.

9. The matter has been heard de novo. None was present on behalf of the union and the employers were represented by Sri S. B. Sanyal, Advocate and other Advocates. He has contended that there was no industrial dispute at any material time as the dispute had not been raised by a union of which the employees are the members. He has further contended that even there was no demand by a body of workmen. The Congress Mazdoor Sangh does not exist as a representative of the workmen and even if it existed it did not represent. Therefore, any demand raised by that union is not an industrial dispute and reference accordingly is incompetent.

10. His another argument is that the demand submitted along with the strike notice did not contain a word with respect to the supervisory staff and accordingly reference concerning them is also incompetent.

11. In support of his first contention he has referred to the case Bombay Union of Journalists and others Vs. The "Hindu" Bombay and another, 1961 (II) L.L.J. 436 and to another case reported in 1964 Supreme Court 473 Western India Match Co. Ltd., Vs. their workmen. In support of his second contention he has relied on the case of Sindhu Resettlement Corporation Ltd., Vs. Industrial Tribunal, Gujarat and others 1968 (I) L.L.J. 834.

12. If we refer to the strike notice, Ext. M-3, it would be clear that in the charter of demands there is no reference regarding the supervisory staff and consequently to that extent at least the reference is incompetent. The case of Sindhu Resettlement Corporation Ltd., is entirely on this point. What happened in this case was that Respondent No. 3 who was originally an employee of Sindhu Resettlement Corporation Ltd., of which Sindhu Hotchief was a subsidiary was employed by the latter and got confirmed. His services were terminated by Sindhu Hotchief and was paid retrenchment compensation. He then approached the Sindhu Resettlement Corporation Ltd., for posting order and demanded retrenchment compensation which was refused. An industrial dispute was raised and a reference was made not only with respect to his wages but also for reinstatement. The Tribunal ordered reinstatement and payment of wages. In appeal one of the points raised was that the dispute raised was one relating retrenchment compensation and the Government had no jurisdiction to refer the dispute regarding reinstatement. This argument was accepted and it was held that the reference was incompetent.

13. In the instant case also as there was no demand with respect to the supervisory staff to that extent at least the reference is not competent.

14. Let us now take up the second point. Ext. M-1 dated 8th/15th October, 1976 is a letter sent to the Registrar Trade Unions and the Labour Commissioner, Government of Bihar regarding registration of union, Congress Mazdoor Sangh, Bihar, with registration No. 863. Ext. M-2 dated 18-10-1976 is reply from the Deputy Registrar of Trade Unions, Bihar. It is mentioned in the latter that the Congress Mazdoor Sangh, Ragmara was registered under the Trade Unions Act, 1926 on 31-8-1958 with registration No. 863. At that time Sri Siaram Singh was the President and Sri Awadesh Narayan Pandey was the General Secretary. On 19-8-1968 the name of the union was changed to "Janakranti Mazdoor Sangh" bearing the same registration number. Registration certificate of the above union, it is said, has already been cancelled on 30-12-1975. Registration No. 853 has been allotted to Cinema Karmachari Sangh, Bauxer and that too stands cancelled since 1-7-1968. The reference is dated 12th September, 1974. As it appears from Ext. M-2 there was no Congress Mazdoor Sangh, but Janakranti Mazdoor Sangh which was functioning since 19-8-1968 with registration No. 863 and that was cancelled on 30-12-1975. Thus on the date of reference there was no Congress Mazdoor Sangh Bihar, Jorapokhar No. 1, P.O. Jealgora.

15. Shri H. K. Akhauri, Asstt. Chief Personnel Officer in the TISCO Colliery, Jamadoba has been examined to say that Shri B. N. Sharma, President, Congress Mazdoor Sangh Bihar as sponsored the reference. His evidence is that the Congress Mazdoor Sangh remained as registered union with No. 863 till August, 1968. Since thereafter they are not registered. He says further that sometime after this reference this union started quoting registration No. 853 which according to Ext. M-2 is the number of the Cinema Karmachari Sangh, Bauxer.

16. The oral and documentary evidence placed before me indicate that the Congress Mazdoor Sangh, Bihar, Jorapokhar No. 1 was not in existence when the reference was made and no material has brought on record to show that it had as its member substantial number of workmen of the collieries of the Tatas.

17. Before the then Presiding Officer Sri D. L. Sengupta appearing for the workmen submitted, as it appears from his order dated 30-8-1976, that it was immaterial to see whether the union was the representative union of the workmen of the establishment and if that union had locus-standi to raise an industrial dispute. He had contended before him that the dispute as referred to the Tribunal was an industrial dispute per se covering as it did the entire class of the clerical staff and the supervisors, and it was not at all necessary to raise a formal dispute or to spouse a formal dispute. Learned Advocate had referred to the case of M/s. Payen and Talbros Ltd. Vs. Hansraj and others 1968 F.L.R. Vol. 17 page 191. In this case a point was raised whether the West Delhi Mazdoor Engineering Union had locus-standi to represent the workmen employed by the company and the Tribunal found that it was only an individual dispute that needed spousal by an appreciable or substantial number of workmen or the union of the establishment to convert it into an industrial dispute and

that the gratuity scheme which formed the subject matter of the reference before it was a matter common to all the workmen and from its very nature it was an industrial dispute and did not need to be spoused or supported. As 80 workmen of the establishment were members of this union the Tribunal held that even a minority group of workmen could make a demand and thereby raise an industrial dispute.

18. From the above it would appear that the union which had sponsored the dispute was actually in existence and had at least 80 workmen as its members and as the dispute related to gratuity scheme which covered the substantial number of workmen, rather, it was a matter common to all the workmen, the Tribunal held that the reference was competent and in the writ before the High Court the finding was upheld.

19. In the instant case the matter is absolutely different. There is no material on record to show that even 15 or 20 workmen of the Tata Collieries are members of the sponsoring union and if it was alive at the time when the reference was made. Therefore, although the matter in dispute is the overtime payment which covers a substantial number of workmen, that alone will not render it a valid industrial dispute. In the case of Sri Gopal Paper Mills Ltd., Vs. State of Haryana 1968 Lab. I.C. 1295 a similar matter was considered by the High Court and it was held that it would always be necessary to enquire whether the union which had sponsored the case could fairly claim a representative character in such a way that its support to the case would make the dispute an industrial dispute. To make the dispute an industrial dispute it is not necessary that there should always be a resolution of a substantial or an appreciable number of workmen. In the Bombay Union of Journalists Vs. "Hindu" 1961 (II L.L.J. 436 the Supreme Court laid down the crucial test that at the date of reference the spousal and support of the dispute by the union or workmen or by an appreciable number of them must be present.

20. It would thus appear that as the position stands on the date of reference the sponsoring union was not in existence at all and therefore no industrial dispute could have been raised. Even if this sponsoring union would have not been registered but had been in existence on the date of reference, the matter would have been quite different. But in view of the fact that the union was not in existence at all on that date, it cannot by any stretch of reasoning be said to represent any number of workmen of the Tata Collieries and therefore reference made at the instance of such a union is not competent.

21. Thus from every aspect of the matter the preliminary point succeeds and the reference is incompetent.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-2012/53/74-LR.II]

S.O. 665.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the Industrial dispute between the employers in relation to the management of Joyrampur Colliery of M/s. Bharat Coking Coal Limited, Post Office Khas Jeenagora, District Dhanbad, and their workmen, which was received by the Central Government on the 13th February, 1978.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL— CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 37 of 1977

Old No. 117 of 1975

PARTIES :

Employers in relation to the management of Joyrampur Colliery of M/s. Bharat Coking Coal Ltd., P. O. Khas Jeenagora, Distt. Dhanbad.

AND

Their workmen represented by Akhil Bharitiya Shoshit Mazdoor Sangh, Nag Nagar, Dt. Dhanbad.

APPEARANCES :

For Employers—Shri B. Joshi, Advocates.

For workmen—Shri Pattu Bouri, Secretary.

INDUSTRY : Coal.

STATE : Bihar.

Dated, Dhanbad, the 8th February, 1977

AWARD

This is a reference U/s. 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under Order No. L-20012/94/75/DIII A dated the 23rd September, 1975. The schedule is as below :—

SCHEDULE

Whether the action of the management of Joyrampur Colliery of M/s. Bharat Coking Coal Ltd., P.O. Khas Jeenagora, Dist. Dhanbad in not regularising the under-mentioned workers is justified ?

1. Shri Bona Munda
2. Ranga Munda
3. Sundri Munda
4. Gangi Munda
5. Gauri Munda
6. Srimati Munda
7. Adari Bouri.
8. Bahadur Bouri
9. Amela Bouri
10. Bhimji Bouri
11. Dani Bouri
12. Sabuna Mian
13. Bisaukha Rajwar
14. Kapura Bouri
15. Haradhan Munda
16. Akka Bouri
17. Kujali Deshwal
18. Vijay Bouri
19. Aneda Bouri
20. Bini Kamin
21. Ichha Kamin
22. Bedni Bouri
23. Budhu Bouri
24. Khandu Bouri
25. Dhakina Bouri
26. Arjun Bouri
27. Gaur Bouri
28. Sati Bouri
29. Sati Lilamuni Manjhin

If not, to what relief are the said workmen entitled and from what dates ?

2. 29 workmen have raised the question for their regularisation in the Joyrampur Colliery of M/s. Bharat Coking Coal Ltd., and that is the point for adjudication.

3. The failure report dated 30th/31st May '75 is on record but it is not possible to gather as to what was the case of the parties before the Conciliation Officer. The only thing which we can get from it is that the President, Akhil Bhartiya Shoshit Mazdoor Sangh had filed a representation dated 7-4-75 for regularisation of the concerned workmen in the Joyrampur Colliery. The management's stand was that they are having a pool of 129 casual wagon loaders and a pool of 165 badli workers and they were not being provided work daily as the job on which they were employed was of casual nature.

4. The union has filed a written statement on behalf of the workmen stating therein that they are changed in miscellaneous jobs for which a separate register is maintained by the management. But only one type of job has been shown in respect to them with a view to prevent them from completing

the requisite number of days to claim permanency. It is said that the work on which they are engaged are coal cutting, loading, hard coke manufacture and the job of trammers which are all of permanent nature and there is absolutely no reason why they should not be made permanent, as they are in employment for the last 10 to 12 years regularly.

5. It is further said that the attendance filed before the Conciliation Officer indicated that the workmen had qualified themselves for regularisation. It is accordingly prayed that they may be regularised and given such other reliefs which may be available to them.

6. On behalf of the management there is a written statement contending inter-alia that the reference is vague and the union which has sponsored the dispute has no locus-standi and therefore, there is no industrial dispute and as such the reference is incompetent.

7. It is further said that they are all casual/badli workers and mainly engaged in loading extra wagons above the average allotment and they are also engaged in other casual and temporary jobs as and when required. It is always necessary to maintain a number of casual workers on the colliery roll to meet the requirements of wagon loading and incidental jobs. Their employment being of a casual nature there is never any possibility of providing them with a regular and permanent work particularly because the allotment of wagons is always fluctuating.

8. Their case also is that even assuming that the workers had been working as casual workers for a number of years, that by itself will not confer any right on them to be permanent when no permanent job is available. The management cannot be forced to provide permanent posts to the casual workers.

9. It is accordingly submitted that the workmen have no case and are entitled to no relief.

10. There is a rejoinder on behalf of the workmen stating therein that the reference is not vague and they are casual/badli according to the management although they are performing permanent nature of job. It is denied that there is no workload available to regularise them.

11. In support of the case the management has examined Sri G. V. Dhurde, Manager of the colliery, WW-2 and has produced statement of wagon allotment for the period 1-1-74 to 30-6-74 and for 1-7-75 to 31-12-75 Exts. M-1, extracted from Form 'B' register Ext. M-2 and statement of attendance of the casual/badli workers of Joyrampur Colliery for 1973, 1974 & 1975, Ext. M-3. There is also the Standing Order which has probably been filed to show as to what is badli or substitute work.

12. Ext. M-1 manifestly indicates that the placement of wagons had been very erratic which means that the management could not have provided all the 85 casual/badli workers with job regularly everyday. Ext. M-3 is a list of casual/badli workers yearwise and their attendance for the years 1973, 1974 & 1975. Ext. M-2 shows that most of the concerned workmen have been appointed after the take over and they have been placed in the category of casual workmen. In view of the insufficient allotment of wagons, I do not think it could have been possible for the management to provide job to these workmen and to others in the casual pool regularly on all the working days of the year. If the placement had been so erratic it cannot be said that the management has not been fair in dealing with these workmen and has indulged in unfair labour practice.

13. Shri G. V. Bhurde has been working as Manager of Joyrampur Colliery from June 1973 to April 1976 and his evidence is that during his time supply of wagons has been very erratic. He says that when the placement of wagons was sufficient they used to employ larger number of loaders and when it was inadequate the number used to be reduced. He has proved Ext. M-1, M-2 & M-3. His evidence is that the 29 concerned workmen were employed only when wagons were available. He says further that among the wagon loaders there are two types of casuals, one listed and the other unlisted and these concerned workmen are among the unlisted. According to him preference for job is given to those who are listed and thereafter to those who are

unlisted. In cross-examination this evidence is that when he joined there was a list of casual wagon loaders but he cannot say how it was prepared. Even those who are unlisted casuals are getting employment in the colliery whenever it is available. He has stated that on the days when these concerned workmen are employed, their attendance is marked by the Loading Munshi and the employment is provided on the requirement given by the Loading Clerk. He says that sometimes they used to take persons from other collieries as well when the requirements used to be large. He denied the suggestion that these concerned workmen have been rendered idle deliberately so that they might not be eligible for being permanent.

14. WW-1 is Baguna Mia, one of the concerned workmen. Her evidence is that placement of wagons was erratic and she was not getting employment regularly. Only when the allotment of wagon was adequate she was employed. Her evidence further is that among the concerned workmen only she, Aloka and Kajli are idle and the rest are getting employment as and when available. She admits that all of them are casual. Identical is the evidence of WW-2.

15. It would thus appear that so far as oral evidence is concerned the case of the management is established and the documents on record further strengthen. The position of the management. Therefore, no case for regularisation of these concerned workmen arises and the management cannot be asked to make them permanent.

16. So far as the allegation of vagueness is concerned I do not find there is any and on the point of the representative character of the union no evidence has been led in this case. Therefore, it is not possible to express any opinion about it.

17. As the position stands, I find that the demand of the workmen is not a tall acceptable and it is not possible for the management to regularise them. They are entitled to no relief.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-20012/94/75-D. III. A]

S.O. 666.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the Industrial dispute between the employers in relation to the management of Joyrampur Colliery of Messrs Bharat Coking Coal Limited, Post Office Khas Jeenagora, District Dhanbad, and their workmen, which was received by the Central Government on the 14th February, 1978.

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT NO. 3, DHANBAD**

Reference No. 35 of 1977

Old No. 113 of 1975

PARTIES :

Employers in relation to the management of Joyrampur Colliery of M/s. Bharat Coking Coal Ltd., P. O. Khas Jeenagora, Dist. Dhanbad.

AND

Their workmen represented by Akhil Bhartiya Shoshit Mazdoor Sangh, Nag Nagar, Dt. Dhanbad.

APPEARANCES :

For Employers—Shri B. Joshi, Advocate.

For Workmen—Shri Puttu Bouri, General Secretary.

INDUSTRY : Coal.

STATE : Bihar.

Dated, Dhanbad, the 7th February, 1978

AWARD

This is a reference U/s 10(1)(d) of the Industrial Disputes Act, 1947, by the Govt. of India, Ministry of Labour

under Order No. L-20012/95/75/DIIA dated 17th September, 1975. The schedule is as below :—

SCHEDULE

Whether the action of the management of Joyrampur Colliery of M/s. Bharat Coking Coal Limited, P. O. Khas Jeenagora, Dist. Dhanbad in not regularising the following workers is justified ?

- (1) Shri Kapura Bouri
- (2) Sri Paudi Pandit
- (3) Shrimati Jitani Mian Kamin
- (4) Sri Suga Paswan
- (5) Sri Rambalak Paswan
- (6) Sri Diga Paswan
- (7) Sri Bilo Gope (Tilo Gope)
- (8) Sri Hasmuiddin Mia
- (9) Sri Bhola Mian and
- (10) Sri Anik Bhula

If not, to what relief are the said workmen entitled and from what dates ?

2. The dispute relates to the regularisation of the concerned workmen in the Joyrampur Colliery of M/s. Bharat Coking Coal Ltd.

3. There is a failure report dated 31-5-75 on record, but it is not possible to find out as what was the case of the parties before the Conciliation Officer. The failure report shows that President of Akhil Bhartiya Shoshit Mazdoor Sangh had raised the dispute with respect to 27 workmen who are casuals complaining that they had not been regularised. Other facts are lacking as I have said that a copy of their representation and the management's comments thereon have not been forwarded to the Tribunal.

4. In the written statement filed by the union for the workmen it is said that they are engaged on miscellaneous jobs and a register is maintained with respect to the same but the management has shown only one type of job and during the conciliation proceeding submitted a statement showing their attendance on that particular job. All the jobs done by them are of permanent nature like coal cutting, loading, hard coke manufacture and the job of trammer, but purposely full week days work had not been given to them in order to prevent them from getting regularised. Being in service for more than 10 to 12 years they have qualified for being permanent and regularised. Prayer is to regularise them and to give them the reliefs claimed.

5. In their written statement the management have set up a case that it is not an industrial dispute as the concerned union is not competent to raise the same. Besides the reference is vague and indefinite and no award can be given.

6. Case is that the Joyrampur Colliery at the relevant time used to sell raw coal, coke and hard coke. But the demand for them has greatly decreased and availability of transport is erratic. Consequently, this colliery maintains a casual pool of un-skilled workers who are employed only when extra hands are needed on a particular date. It is neither possible to do away with their services nor it is possible to provide them with permanent and full employment. As the concerned workman are only a fraction of more than 200 casual workers employed in the colliery, there can be no justification to give them any preferential treatment. None of them has worked continuously for one year on any permanent post and as such according to the Certified Standing Orders they cannot have any claim for permanent post. It is accordingly submitted that the workmen have no case and no award can be passed in their favour.

7. There is a rejoinder on behalf of the union stating therein that the reference is not vague and although the workmen are casual/badli according to the management, in fact they are performing permanent nature of work since long and are entitled for regularisation. It is also said the Sl. No. (5) Rambalak Paswan, Sl. No. (4) Sri Saga Paswan, Sl. No. (9) Sri Bhola Mian and Sl. No. (6) Sri Diga Paswan have already been regularised but others have not for no justification.

8. In support of their case parties have entered into evidence and have examined witnesses. WW-2 is Puttu Bouri who is the Secretary of the Bhartiya Shoshit Mazdoor Sangh. According to him there are 150 members in his union out of the total man-power strength of about 3000. He says further that he has submitted a return to the Trade Union Registrar in which he had given 29 loaders and 10 others showing them as members of his union. Learned Advocate has referred to the case of the State of Punjab S. Gondhara Transport Co. (P) Ltd. and others, 1947 Vol. II S.C.L.J. 277. The company dismissed three of its workmen and retrenched another employee subsequently. The District Motor Transport Workers Union raised a dispute with the management on the 17th of November, 1960 and demanded reinstatement as well as payment of retrenchment compensation regarding the workmen who were retrenched. The 18 workmen had supported the demand out of which 13 were dismissed workers of the company. The State Govt. was of the view that as a substantial number of workmen had not spoused the cause of the dismissed workmen, there was no industrial dispute which could be referred for adjudication. There were 60 workmen employed in the Concern. At first the State Govt. refused to make reference but subsequently it did and point was raised before the Labour Court that it was not an industrial dispute U/S 2-K of the Industrial Disputes Act inasmuch as the case of the workmen had not been spoused by a substantial body of the workmen of the company. The Labour Court however did not agree with this view. The company filed a writ in the High Court and the plea of the management was accepted that since the dispute had not been sponsored by a substantial body of workmen the order of reference was incompetent. The matter went up to the Supreme Court and their Lordships accepted the view expressed by the High Court. It has been contended before me that in view of the above decision, it is not an industrial dispute as it has been raised by a union which represents only a fraction of the total number of workmen employed in the company. As the position stands that view should prevail.

9. I may however refer to the case of Workmen Vs. Dharampal Premchand reported in 1965 (I) L.L.J. 668. In this case their Lordships of the Supreme Court considered the decision of the same Court in the Bombay Union of Journalists Vs. the "Hindu" 1961 (II) L.L.J. 436 and came to hold that the observations in that case would not be read as laying down any hard-and-fast rule in the matter. They were of the opinion that a union might validly raise dispute, though it might be a minority union of workmen employed in an establishment. The point for consideration in such a case would be whether the union which has sponsored the case can fairly claim a representative character in such a way that its support to the case would make the dispute an industrial dispute. In the instant case only a fraction of the workmen of the establishment are members of this union and the dispute relates only to regularisation of 10 workmen of whom 4 have already been regularised. Therefore, it cannot be said that this minority union is in a position to raise a dispute which may in substance become an industrial dispute covering a large number of workmen.

10. On the consideration of the available materials and the law on the point, my concluded opinion is that it is not an industrial dispute as it has not been raised by a union representing a substantial number of workmen of the establishment or the dispute has not been sponsored by a substantial number of workmen of that establishment having community of interest with the concerned workmen. If it is not an industrial dispute the reference may be incompetent.

11. On the merits I find that the concerned workmen have no case. Kapura Bouri WW-1 is one of the concerned workmen. He admits that he had always been working as a loading mazdoor and says that placement of wagons had not been uniform and sometimes no wagon was available at all. He says further that there are quite a large number of loaders in the colliery and on the days when the placement of wagon is sufficient, some of the loaders have no work. He says that he had to sit idle from time to time when wagon availability was not adequate and he has always been treated as casual.

12. WW-2 is the Secretary of the Bhartiya Shoshit Mazdoor Sangh. He also admits that placement of wagons had

been quite irregular and sometimes no wagon is available at all. He has stated that the concerned workmen are being denied job whereas workmen of other collieries are drafted there. There is, however, no evidence to that effect. He supports the case of the management that as and when a permanent post is available those unlisted casuals have been absorbed and says that Sri Shivnath Sao & Bhim Sao who were unlisted casuals have been made permanent about two months back according to the recent decision of the Bharat Coking Coal Ltd.

13. Evidence of these two witnesses establishes that the workmen are in a casual pool and as and when work is available they are employed. It is not correct say that they are working regularly and have acquired permanency on account of the length of continuous service. If it is the policy of M/s. Bharat Coking Coal Ltd., to absorb men in the unlisted casual post also, I think it would be quite wise for these concerned workmen to wait till their term comes.

14. MW-1 is Sri G. B. Dhurde who is working as Manager. He has stated that they used to have a list of Badli workers and another list of casuals. From among them they used to take whenever their services were required for wagon loading, for hard coke manufacture and for such other work and they were taken in temporary vacancy of permanent workers both underground and surface. His evidence is that these concerned workmen are among them who have been employed as above. He speaks about the policy of the Bharat Coking Coal Ltd. and says that the extract of attendance for the year 1974 has been filed which is Ext. M-1. The other witness is MW-2 Shri Ram Ekbal Singh who is attached to the office of the Personnel Department of the Joyrampur Colliery. He speaks of the regularisation of the 4 concerned workmen and says that the remaining 6 would be made permanent after they complete 240 days on the surface and 190 days underground either in the casual or the substitute work.

15. From my discussions it follows that the union which has sponsored the dispute is not a representative union of this establishment and therefore there is no industrial dispute as such and the reference made is not competent. Besides, I find that the workmen have no case on merits as well. They are in the list of casuals and get employment as and when job is available. Therefore, they cannot claim permanency and regularisation.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-20012/95/75-D.III(A)]

New Delhi, the 16th February, 1978

S.O. 667.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Maheshpur Colliery of Messrs Bharat Coking Coal Limited, Post Office Kharkharee, District Dhanbad, and their workmen, which was received by the Central Government on the 14th February, 1978.

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3 DHANBAD

Reference No. 40 of 1977

Old No 5 of 1976

PARTIES :

Employers in relation to the management of Maheshpur Colliery of M/s. Bharat Coking Coal Ltd., P.O. Kharkharee, Dist. Dhanbad.

AND

Their workmen represented by United Coal Workers Union, Gandhi Road, Dhanbad.

APPEARANCES :

For Employers—Shri S. S. Mukherjee, Advocate.

For Workmen—Shri Lalit Burman.

INDUSTRY : Coal.

STATE : Bihar.

Dated, Dhanbad, the 6th February, 1978

AWARD

This is a reference U/S 10(1)(d) of the Industrial Disputes Act, 1947, by the Govt. of India, Ministry of Labour under Order No. L-20012/111/75-D.IIA dated the 3rd February, 1976. The schedule is extracted below :—

SCHEDULE

Whether the action of the management of Maheshpur Colliery of M/s. Bharat Coking Coal Limited, P.O. Kharkharee, Dist. Dhanbad is justified in stopping from work to S/Shri (1) Ram Prasad Mondal (2) Swapan Mondal (3) Narad Mondal (4) Tklal Rajwar (5) Binod Mondal (6) Sambhu Mondal (7) Ruplal Mondal (8) Ram Udesb Mahato (9) Satyadeo Shaw and (10) Dharam Nath Gope. All General Hazree Mazdoors with effect from 17th March, 1975 ? If not, to what relief the workmen concerned are entitled ?

2. 10 persons involved are all general hazree mazdoors and the dispute for adjudication is the stoppage of work to them with effect from 17th March, 1975 by the management of the Maheshpur Colliery of M/s. Bharat Coking Coal Ltd.

3. Failure report is dated 23-6-1975 but the representations sent by the United Coal Workers Union and the comments of the management have not been forwarded to the Tribunal. Therefore, it is not possible to gather as to what was the case of the parties at the initial stage. On the receipt of this failure report the above reference was made.

4. Case of the union on behalf of the workmen is that the concerned workmen were general hazree mazdoors and were being engaged for different jobs like those of prop mazdoors, line mazdoors, explosive carriers and tyndals etc. as required by the management in different mines/sections of the Maheshpur Colliery. They were all along working on different jobs under the orders of the Colliery Manager and the Asstt. Manager and though they were directly employed on those jobs the management used to make payment to them through one Hidayat Ansari who had nothing to do with their employment or the performance of jobs by them. This according to them was an unfair labour practice indulged by the management to the detriment of the workmen.

5. It is further said that they represented to the Union which by a letter dated 16-1-1975 took up the matter with the management. After they were stopped from work the union again took up the matter by their letter dated 18-3-1975, but nothing was done and then the conciliation proceeding started under the A.L.C. Before him the management took up a plea that they were working under a Contractor, Hidayat Ansari, whose contract having been terminated in March 1975 the workmen also lost their job. It is contended that this was a false plea taken by the management and accordingly prayer is for reinstatement with full back wages and regularisation in the categories according to the jobs performed.

6. On behalf of the employer it is said that the reference is incompetent as there is no relationship of employer and employee between the parties and therefore there can be no industrial dispute. It is further said that the concerned union had also no locus-standi to raise the dispute on behalf of the workmen and on that account also the reference is not valid.

7. Case further is that the concerned workmen were the employees of a Contractor, named Hidayat Ansari, who used to engage them to carry out his contract jobs and their work used to be supervised and controlled by him and they were paid by the said Contractor. Consequently, it is not correct to say that they were stopped from work by M/s. Bharat Coking Coal Ltd., with effect from 18-3-1975.

8. Case further is that Hidayat Ansari was one of the contractors duly registered with Maheshpur Colliery and the contract was for protective work underground. As he did not obtain the necessary licence from the appropriate authorities and as in the beginning of 1975 the Bharat Coking Coal Ltd., decided as a matter of policy to discontinue the contract system, the contract of Hidayat Ansari was terminated and the concerned workmen were accordingly rendered idle. The Bharat Coking Coal Ltd. was under no obligation to provide them with job.

9. Accordingly, submission is that the case set up by the union for the workmen is absolutely unfounded and they were entitled to no relief.

10. There is a rejoinder on behalf of the workmen but nothing has been said therein except that the Bharat Coking Coal Ltd., should produce documents to show that Hidayat Ansari was the Contractor.

11. In support of the case parties have entered into evidence and while the union has examined one witness Shri Ruplal Mondal, one of the concerned workmen, the management has also examined Shri P. B. Bhowmik, Asstt. Manager of the Colliery. The management has also produced two Form B registers Exts. M-1 & M-1/1, Contractor's payment register, Ext. M-2 and wage sheets Ext. M-3 series. The union has produced slips Ext. W-1 series.

12. Except Ext. M-2 the other documents give negative evidence in as much as they show that in Form B registers name of these workmen does not appear and they had never been paid wages in 1974 on Ext. M-3 series. So far as Ext. M-2 is concerned, I find that Hidayat Ansari has been mentioned as a contractor and the work done through him on different dates and amount paid to him have been mentioned. In token of payment he has signed. Every page has been signed by the Manager and the Asstt. Manager and also the person preparing the statement. Description of jobs has also been given like carrying of props, carrying of sleepers, dusting and timbering line joining etc. There is no reason to suppose that this register has been manufactured for the purpose of this case.

13. To counteract the effect of this register the union has produced quite a large number of slips Ext. W-1 series bearing the signature of Manager and in almost all of them the name of the workmen engaged on jobs has also been given. Argument has been raised that if they had not been the workmen of M/s. Bharat Coking Coal Ltd., employed at Maheshpur Colliery, those slips could not have been issued by the Manager. To me, however, it appears that the very fact that slips were issued on different dates mentioning the job to be done and the name of persons to be employed is a strong circumstance to indicate that they were not the workmen of the Maheshpur Colliery otherwise there was absolutely no reason to issue slips. It was put to MW-1 and his answer is that he used to sign on the slips when Contractor's workmen were employed in the colliery for some emergency work and it was done so that they could know the number of workmen employed and the volume of work done by them on the basis of which payment was made to the contractor. To a question whether these slips indicate that the workmen were engaged for different time-rated jobs, answer of the witness is that the slips were issued not because they were engaged in time-rated job, rather, to know the volume of work done by the contractor's men. Subsequently, he has explained as to how the calculation is made on the volume of work done by the contractor's men.

14. It would thus appear that there is a document on record to show that Hidayat Ansari was a Contractor employed at Maheshpur Colliery for doing odd jobs. The slips which have been produced on behalf of the workmen do not lead to the conclusion that they were employed by the colliery itself and not by the contractor and were paid by

the colliery management. WW-1 has stated that they were working in the colliery for about two and half years from before take over. He cannot say what was the basis of payment of bonus and admits that they were not the members of the Provident Fund Scheme during the time of private management and even after take over. He says that at the time of take over some others were members of the Provident Fund Scheme but they were not. He also admits that they never got profit sharing bonus at any time either before or after take over although others used to get it. He has stated that during the management of private owner they were paid on vouchers although some other workmen used to be paid on pay sheets. His evidence is that after take over they were paid on pay sheets, but I have already referred to Ext. M-3 series wherein their name is not mentioned which means that payment was not made to them by the management of the Maheshpur Colliery. His evidence further is that during the time of private company or even after take over their name was not recorded in Bahali Khata (Form B register). If they had been in the employment of M/s. Bharat Coking Coal Ltd., there is no reason why their name would not have been mentioned in Form B register.

15. The witness no doubt denies that they were working under a contractor and goes to this extent that he has never heard the name of Hidayat Ansari. But his evidence shows that they could not have been in the employment of Maheshpur Colliery at any time. MW-1 was in that colliery as Assistant Manager from 1976. He knows all the concerned workmen and says that they were working under Hidayat Ansari. Referring to Form B registers Exts. M-1 & M-1/1, his evidence is that only name of those employees is noted in them who are workmen of the colliery. So far as wage sheets are concerned, he says that only those workmen of the colliery who are paid wages by the management are noted in the wage sheets and none others. He says that it was in 1975 that the contract system was abolished. Referring to Hidayat Ansari he says that he had employed 14 to 15 workmen including these 10 in the reference and work order used to be given to the contractor by the Manager. The register Ext. M-2 supports him on the point. Witness further says that sometimes when necessary the colliery used to employ workmen of the contractor for certain jobs mentioned in Ext. M-2, but payment used to be made to the contractor on the volume of work done. I have already referred to his evidence with regard to Ext. W-1.

16. It has been argued on behalf of the union that unless there is a proper proof that there was a valid contract, it cannot be accepted that Hidayat Ansari was a contractor and these workmen were employed by him. Shri Burman has referred to the Contract Labour (Regulation and Abolition) Act in this connection. In my opinion, it is not at all necessary for us to enter into the question whether the contract to Hidayat Ansari was valid or not as that is beyond the scope of the present reference. The point is whether the concerned workmen were in the service of Hidayat Ansari or were the employees of Maheshpur Colliery and not that whether the contract was valid or invalid.

27. It is thus manifest that the evidence, both oral and documentary, is not enough to establish that the concerned workmen were employees of Maheshpur Colliery and that being so it is very much correct to say that there was no relationship of employer and employee between the parties. In that view of the matter, no industrial dispute could have been raised and the reference may be said to be invalid and incompetent. As the position stands, the question of stoppage of work to the concerned workmen by the management of Maheshpur Colliery under M/s. Bharat Coking Coal Ltd., does not arise and the workmen are entitled to no relief.

This is my award.

S. R. SINHA, Presiding Officer
[No. L-20012/111/75-D. III(A)]

S. H. S. IYER, Desk Officer

नई दिल्ली, 17 फरवरी, 1978

का. अं. 688—केन्द्रीय सरकार, कोयला खान श्रमिक कल्याण निधि अधिनियम, 1947 (1947 का 32) की धारा 3 की उपधारा (1) के

324 GI/77-9

परम्युक्त द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत में की कोलियरीज से प्रेषित किसी भी यणन के लियेनाइट को, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख को और से, तथा 1978-79 तक, उक्त उपधारा में निविष्ट उत्पाद-शुल्क के उद्ग्रहण में छूट देती है।

[नं० एम०-21014/1/76-एम० II]

पी० के० सेन, अव्वर सचिव

New Delhi, the 17th February, 1978

S.O. 668.—In exercise of the powers conferred by the proviso to sub-section (1) of Section 3 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), the Central Government hereby exempts with effect on and from the date of Publication of the notification in the Official Gazette and upto 1978-79, lignite of whatever description, despatched from the collieries in India, from the levy of the duty of excise referred to in the said sub-section.

[No. S-21014/1/76-M.II]

P. K. SEN, Under Secy.

New Delhi, the 16th February, 1978

S.O. 669.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Indore (Madhya Pradesh) in the industrial dispute between the employers in relation to the management of Churcha Colliery of Western Coalfields Limited, District Surguja (Madhya Pradesh) and their workmen, which was received by the Central Government on 13th February, 1978.

IN THE INDUSTRIAL TRIBUNAL, MADHYA
PRADESH, INDORE

Reference No. 5/I.T. 1976

(In the matter of a Reference u/s 10 of the Industrial Disputes Act, 1947.)

BETWEEN

Management of Churcha Colliery District Surguja (M.P.)
—First Party.

AND

The Workman Mohd. Amin represented by—Bharatiya
Khan Mazdoor Sangh, Surguja —Second Party.

APPEARANCES:

Shri Suresh Jhangiani, Advocate—for the First-party.

Shri B. P. Mishra, Advocate—for the Second-party.

AWARD

In exercise of the powers conferred by Section 7A and Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 the Central Government has referred the industrial dispute between the employers in relation to the management of Churcha Colliery, Surguja and their workman Mohd. Amin in respect of the following matter for adjudication of this Tribunal:—

“Whether the action of the management of Churcha Colliery of Western Coalfields Ltd., Post Office Churcha, District Surguja (Madhya Pradesh) in stopping from work Shri Mohd. Amin, under ground Loder of Churcha Colliery with effect from 7-7-73 is justified? If not, to what relief is the said workman entitled?”

2. The Management of the Churcha Colliery is represented by Shri Suresh Jhangiani, Advocate while the workman Mohd. Amin is represented by Shri B. P. Mishra, Advocate. A notice was also issued to Mohd. Amin, the workman concerned, but he did not put in appearance.

3. During the pendency of this reference, parties have filed a compromise petition on 6-1-1978 which is duly signed by the workman Mohd. Amin and the Management of Churcha Colliery, praying for an award in terms of the settlement stated therein.

4. The terms of the compromise are as under :—

- (i) The Management will reinstate Shri Mohd. Amin to the post from which he was dismissed without back wages.
- (ii) Shri Mohd. Amin gives up all his claim for any back-wages or any other relief.
- (iii) Shri Mohd. Amin expresses his regret for misconduct committed by him and assures the management that he will do his duty sincerely, honestly in future.
- (iv) The parties shall bear their own costs.

5. After hearing both the sides and taking into consideration the facts and circumstances of the case, the terms of settlement embodied in the petition appear to be fair and reasonable. It would, therefore be proper to make an award in terms of the settlement.

6. I, therefore, make the following award :—

"The Management shall reinstate Mohd. Amin to the post from which he was dismissed without back-wages within thirty days of the publication of this Award under Section 17 of the Act."

7. Parties shall bear their own costs as incurred.

Indore, Dt. the 15th January, 1978.

S. M. N. RAINA, Presiding Officer
[No.L-22012(8)/76-D.III(B)/D. IV(B)]
BHUPENDRA NATH, Desk Officer

New Delhi, the 25th February, 1978

S.O. 670.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Madras in the industrial dispute between the employers in relation to the management of Indian Bank, Madras and their workmen, which was received by the Central Government on the 6-2-78.

BEFORE THIRU K. SELVARATNAM, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS

(Constituted by the Central Government)
Tuesday, the 24th day of January, 1978

Industrial dispute No 65 of 1976

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Indian Bank, Madras.)

BETWEEN

The workmen requested by The Secretary General, The Federation of Indian Bank Employees' Union, 39, Second Line Beach, Madras.

AND

The General Manager, Indian Bank, 17, North Beach Road, Madras-1.

REFERENCE :

Order No. L-12011/20/76-D. IIA, dated 10-12-1976 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Saturday, the 7th day of January, 1978 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru N.G.R. Prasad, Partner of Thiruvallargal Row and Reddy and K. Chandru, Advocates for the workmen and of Thiruvallargal G. Venkataraman and R. Jamal Nazeem for Thiruvallargal Aiyar and Dolia, Advocates for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is an Industrial Dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication between the

Management of Indian Bank, Madras and their workmen in the matter of supply of shoes to Subordinate Staff employed in their Delhi and New Delhi branches.

(2) The following is the reference :

Whether the action of the Management of the Indian Bank, Madras in proposing to restrict and reduce the conventional supply of shoes to Subordinate Staff employed in their Delhi and New Delhi branches in accordance with the provisions of para 17.4 of the Bipartite Settlement dated 19-10-66 between the Bank Managements and their workmen is justified ? If not to what relief are the said workmen entitled ?

(3) The following averments are made in the Claim Statement filed on behalf of the Petitioner-workmen. There was a Bipartite Settlement dated 19-10-1966 between the Management and the Petitioner Federation, Under which he Sub-staff are to be supplied with a pair of cotton uniform every year. Under para 17.4 of the Bipartite Settlement only certain categories of sub-staff, viz., armed guards, etc., were to be supplied shoes. So far as the Respondent Bank was concerned, it was supplying the Sub-staff working in the New Delhi & Karol Bagh branches a pair of shoes as well along with the cotton uniforms every year from their inception The categories of sub-staff who were supplied with a pair of shoes were not confined to the categories of sub-staff contemplated under the Bipartite Settlement, but it was extended to other sub-staff such as peons, etc. This had become a condition of service by the practice being followed for over 15 years. While so in 1969, the Agent of the two branches in New Delhi stopped the supply of shoes to the categories of sub-staff except those mentioned in para 17.4 of the settlement. As the workmen agitated over the stoppage and were preferring complaints to the Assistant Labour Commissioner, New Delhi, the practice was restored. Again in 1970, the Management stopped the supply of shoes and again the matter was reported to the Assistant Labour Commissioner, New Delhi and the Management, on the intervention of Assistant Labour Commissioner, resumed supplying of shoes till 1975. In 1976, the Respondent Management put up a notice dated 29-1-1976 under Section 9A of the Industrial Disputes Act intimating the workmen that they were stopped the practice of supply of shoes to the categories of sub-staff other than those mentioned in para 17.4 of the Bipartite Settlement. The reason given by the Management for stopping the benefit of supply of shoes was that it became impossible for them to supply to the two branches alone as a number of branches were opened in Delhi and New Delhi region. The reason set out by the Management is not proper because even while they are supplying a pair of shoes to the two branches there were other branches in other places who are not conferred the same benefit. Even during the conciliation proceedings the Petitioner Union offered that they would rest content if the practice was continued in the two branches and they would not press for supply of shoes in the other branches. But it was not accepted by the Management. There was no proper notice under Section 9A of the Industrial Disputes Act as it was not issued by the Board of Directors of the Bank or the Managing Director, but by the Staff Superintendent who is not an employer as contemplated under the Industrial Disputes Act. The Respondent cannot alter the condition of service applicable to the employees, prior to the rationalisation, without following the procedure prescribed under Section 19 of the Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970. Therefore the change adversely affecting the conditions of service of the employees is illegal and also opposed to the Nationalisation Act 1970. Hence the Management is to be directed by this Tribunal to restore the practice of giving a pair of shoes to the other categories of subordinate staff in Delhi and New Delhi branches for the year 1976 and in future as well.

(4) The Respondent Management filed a counter, wherein they contend as follows. The reference itself is incompetent and not maintainable in view of para 22.6 of the Bipartite Settlement which prohibits further demand by the workmen involving financial outlay which might affect all the banks covered by the Settlement. Even on merits, the Union has no justification for the claim for the following reasons: Under para 17.4 of the Bipartite Settlement, the persons who are entitled to supply of shoes are Watchman, Armed Guards Electricians, Air Conditioning Plant Helpers and Drivers and other categories of subordinate staff were not eligible. Having regard to the agitation by the workmen working in the Delhi and New Delhi Region and the pressure exerted on the Management, the Management was supplying shoes to the subordinate staff at branches of Karol Bagh and New Delhi. Originally, there were two branches in New Delhi Region.

10 more branches were opened after Nationalisation. Consequently, the number of subordinate staff was increased to about 1704. If this concession is extended to all subordinate staff in all branches in New Delhi region, it would cause financial burden. Hence the Management thought fit to discontinue the anomaly of supply of shoes to all the categories of subordinate staff in those two branches and it was done in accordance with clause 17.4 of the Bipartite settlement. The supply of shoes was not voluntary and they had to supply due to pressure and agitation by the workmen. Therefore the practice of supply of shoes cannot be equated with the condition of service. The notice under Section 9A was given by the competent Officer representing the Bank. The petitioner Union had misconceived the position of law invoking the provisions of the Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970. The supply of shoes is only a concession or privilege which can be changed by the Respondent by giving notice under Section 9A of the Industrial Disputes Act. Therefore, there is no merit in the claim of the Union and it is liable to be dismissed.

(5) ISSUE : In answering the issue referred to this Tribunal, the only point that arises for consideration is whether the supply of a pair of shoes to New Delhi and Karol Bagh of Indian Bank is a condition of service as contended by the Union or is merely a concession shown by the Management.

(6) Under para 17.4 of Ex. M-22, the Bipartite Settlement between the Indian Banks' Association and All India Bank Employees Association, Watchmen, Armed Guards, Electricians, Airconditioning Plant Helpers and Drivers are to be supplied with a pair of shoes once in two years. So far as the two branches are concerned, their claim is that the Management was supplying a pair of shoes every year for the past 15 years not only to the subordinate staff contemplated under the Bipartite Settlement, but also to the other staff working in the two branches and such a practice of supply came to acquire the status of condition of service and such a condition of service could not be changed by the Management by stopping the supply of shoes. The contention of the Management is that the practice of supplying a pair of shoes to the two branches was not a condition of service and was a concession extracted by the workmen by agitation like direct action and pressure and such a concession which was extracted from the Management cannot be equated with a condition of service. Originally, they did not very much bother about the supply of a pair of shoes as there were only two branches in New Delhi Region, but in recent past, the number of branches swelled and there were about 1704 workmen and that being so, the supply of shoes to all branches would have far reaching financial implication and there was no reason why the two branches should be favoured and others should be discriminated.

(7) On the side of the Management Thiru G. Murugesan, Officer of the Personnel Department, Central Office, Madras was examined to substantiate their case in what circumstances a pair of shoes was supplied every year to the two branches at Delhi. His evidence is that in two branches, there was agitation by the subordinate staff and that fact was intimated to the Head Quarters at Madras by a letter Ex. M-3. Ex. M-4 is the telex message from the Indian Bank, New Delhi to the Madras Central Office for according sanction for the supply of shoes and Ex. M-5, the reply to the telex message and Ex. M-4, was given to the New Delhi Branch by the Management permitting him to supply shoes and intimating the fact that the records would show that they were supplied a pair of shoes only once in two years. Ex. M-6 is another telex message permitting him to supply only for that year, viz., 1971 only. Ex. M-7 is a letter intimating the New Delhi branch to supply shoes to subordinate staff for the year 1972 alone. Exs. M-8, M-9 and M-10 are the letters for permitting subordinate staff for the supply of shoes for the respective years upto 1974. Exs. M-11, M-12 and M-13 are the correspondence between the Central Office of the Bank, Madras and the branches of the Bank at New Delhi, in the matter of supply of shoes. From the correspondence it is quite clear that the supply was not voluntary and they were supplying shoes outside the clause 17.4 of the Bipartite settlement by coercive measures taken by the subordinate staff.

(8) On the side of the Union Ex. W-1 dated 1-12-1969 is filed and it is a report to the Assistant Labour Commis-

sioner(C), New Delhi complaining that the Agent had stopped the supply of a pair of shoes unjustly as such requesting him to intervene and take up the matter. Ex. W-2 is a reply dated 27-12-1969 by the Management to the Assistant Labour Commissioner, New Delhi intimating the Assistant Labour Commissioner that if they were supplying shoes, it was by way of goodwill towards the employees and that will not affect their right to stop the practice of supply of shoes if they felt it unnecessary and too expensive and it was only an extra benefit conferred and it would not be claimed as a part of service conditions which are governed by Bipartite settlement and they had agreed to supply shoes without prejudice to their right to stop this practice in future. Ex. W-3, dated 5-2-1970 is a letter by the General Secretary to the Conciliation Officer commenting on the letter received from the Management. Ex. W-4 is a letter by the Assistant Labour Commissioner dated 10-2-1970 intimating the Union since the Bank had already issued shoes to the members of the subordinate staff the cause of grievance is no longer existed and the matter was closed. Ex. W-5 is a letter dated 11-6-1970 from the Union to the Management complaining about the delay in the matter of supply of clothing and pair of shoes. Ex. W-6 is a letter dated 7-8-1970 from the General Secretary of the Union to the Assistant Labour Commissioner seeking intervention of the supply of shoes to the subordinate staff. The correspondence filed on the side of the Union do not go to establish the fact that at any time they recognised it as a condition of service and every time they have to agitate and get the supply of shoes. Therefore, it is quite clear that if the Management agreed to supply shoes on the intervention of the Labour Commissioner it was done to purchase peace, and it cannot be said that it assumed the character of the condition of service. Therefore, one thing is clear that on every occasion, the Union has to fight to get the supply of shoes and the supply by the Management was not voluntary. My finding is that the supply of shoes is not a condition of service and it is only a concession which the Management is entitled to withdraw at any time on the ground of financial implication or uniform policy to be adopted to all banks.

(9) Two legal objections have been raised against the termination of the supply of shoes to the employees of the two branches. The first objection is that the Notice under Section 9A of the Industrial Disputes Act, dated 29-1-1976 is not in order. It is contended by the Union that the Notice under Section 9A is to be given by the employer and the employer in this case would mean the Board of Directors of the Bank or the Managing Director. But in the instant case the Notice was issued by the Superintendent who cannot be equated with an employer as contemplated under the Industrial Disputes Act. Therefore the notice under Section 9A is illegal and consequently the change is illegal. The second contention is that the supply of shoes was a condition of service which was in existence even prior to the Nationalisation and such a condition of service cannot be terminated without following the procedure prescribed under Section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970. The second contention is based on assumption by the workmen that the supply of shoes was a condition of service. The evidence as I pointed out earlier does not establish the fact that the supply of shoes was a condition of service, but a benefit conferred on the employees. Therefore the workmen are not entitled to invoke the provisions of the Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970. As regards the first legal objection, viz., issue of notice under Section 9A, it is contended by the workmen that under Schedule IV item 8 of the Industrial Disputes Act, the supply of shoes is a concession or privilege which could be validly changed by the Respondent Bank by giving a notice of change under Section 9A of the Industrial Disputes Act. The Union concedes that the Management have complied with the requirement of law by giving a notice under Section 9A of the Industrial Disputes Act under Ex. W-7, dated 29-1-1976, but what they contend is that it is a notice given by the Superintendent and as such it is not valid. I do not agree with the contention of the Union because there is no prohibition against the Management to delegate its powers to act for the Management to their own agent, manager or principal officer of the corporation and the person so delegated can act on behalf of the Managing Director or Board of Directors. Exs. M-23 and M-24 allocate the work of all the Senior Officers and among them the Superintendent is one, who is authorised to act on behalf of the Management and in the instant case, the Superintendent has acted on behalf of the Management as their agent. Therefore, there

is nothing illegal if the notice under Section 9A was given by the Superintendent on behalf of the Management. Hence there is no substance in the contention of the Union that the notice under Section 9A issued by the Superintendent is not valid.

(10) In the result, an Award is passed justifying the action of the Management in stopping the supply of shoes to the two branches of Indian Bank at Delhi and New Delhi.

Dated, this 24th day of January, 1978.

K. SELVARATNAM, Industrial Tribunal.

WITNESSES EXAMINED

For workmen—Nil.

For Management—M.W. 1—Thiru G. Murgesan, Officer, Personnel Department.

DOCUMENTS MARKED

For workmen :

- Ex. W-1/1-12-69—Letter from the Indian Bank Workers' Organisation to the Assistant Labour Commissioner (C), New Delhi regarding non-supply of shoes to the subordinate staff. (copy).
- Ex. W-2/27-12-69—Reply letter to the Assistant Labour Commissioner (C), New Delhi to Ex. W-1. (copy).
- Ex. W-3/5-2-70—Letter from the Indian Bank Workers' Organisation to the Assistant Labour Commissioner (C), New Delhi regarding non-supply of shoes to subordinate staff. (copy).
- Ex. W-4/10-2-70—Letter from the Assistant Labour Commissioner (C), Delhi to the Union closing the case. (copy).
- Ex. W-5/11-6-70—Letter from the Union to the Management regarding non-supply of summer uniform and pairs of shoes to the subordinate staff. (copy).
- Ex. W-6/7-8-70—Letter from the Union to the Assistant Labour Commissioner (C), New Delhi regarding non-supply of shoes to the subordinate staff. (copy).
- Ex. W-7/29-1-76—Notice under section 9A of the I. D. Act, 1947 given by the Bank. (copy).
- Ex. W-8/23-2-76—Letter from the Union to the Regional Labour Commissioner (Central), Madras for initiating conciliation proceedings. (copy).
- Ex. W-9/25-2-76—Reply by the Bank to Ex. W-8 (copy).
- Ex. W-10—Annual Report of the Bank for the year 1976.

For Management :

- Ex. M-1/9-6-71—Letter from the Indian Bank, New Delhi to the Central Office of the Bank, Madras regarding supply of shoes to Sub-staff. (copy).
- Ex. M-2/28-7-71—Letter from the Central Office of the Bank, Madras, in reply to Ex. M-1. (copy).
- Ex. M-3/2-8-71—Letter from the Indian Bank, New Delhi to the Central Office of the Bank, Madras about the supply of shoes. (copy).
- Ex. M-4/6-8-71—Telex message from the Indian Bank, New Delhi to the Madras Central Office for according sanction for the supply of shoes. (copy).
- Ex. M-5/6-8-71—Reply Telex message to Ex. M-4 (copy).
- Ex. M-6/7-8-71—Telex message from Central Office of the Bank, Madras to New Delhi Branch allowing supply of shoes to Sub-staff for this year. (copy).
- Ex. M-7/28-4-72—Letter from the Central Office of the Bank to New Delhi Branch allowing supply of shoes to Sub-staff for the current year (copy).
- Ex. M-8/12-6-73—Letter from the Indian Bank, New Delhi Branch to the Central Office of the Bank,

Madras for permission to supply shoes for 1973. (copy).

- Ex. M-9/19-6-73—Reply letter from the Central Office of the Bank to New Delhi Branch permitting to supply shoes to Sub-staff for 1973. (copy).
- Ex. M-10/20-4-74—Reply letter from the Central Office of the Bank to New Delhi Branch permitting to supply shoes to Sub-staff for 1974. (copy).
- Ex. M-11/2-6-65—Letters from the Central Office of the Bank, Madras to the District Manager of the Bank, New Delhi regarding supply of shoes. (copy).
- Ex. M-12/29-7-75—Repeat—(copy).
- Ex. M-13/18-10-75—Letter from the Central Office of the Bank, Madras to the Regional Manager of the Bank, New Delhi regarding supply of shoes. (copy).
- Ex. M-14/2-1-75—Repeat—(copy).
- Ex. M-15/29-1-76—Same as Ex. W-7.
- Ex. M-16/2-2-76—Letter from the Central Office of the Bank, Madras to the Branches at New Delhi stating to enclose the notices u/s. 9A of the I.D. Act, 1947. (copy).
- Ex. M-17/23-4-76—Conciliation failure report. (copy).
- Ex. M-18/29-6-76—Letter from the Bank to the Under Secretary, Department of Revenue and Banking, Government of India regarding supply of shoes. (copy).
- Ex. M-19/16-6-53—Power of Attorney in favour of Thiru P. Chillianah Staff Superintendent of the Bank, (Photostat copy).
- Ex. M-20—Statement showing the financial implications for supplying shoes.
- Ex. M-21—Statement showing the strength of subordinate staff working in New Delhi/Delhi Branches of the Bank.
- Ex. M-22—Bipartite settlements between Indian Banks' Association and All India Bank Employees' Association.
- Ex. M-23/29-5-76—Circular No. 24/76 of the Bank allocating the responsibilities of senior officers of the Bank.
- Ex. M-24/29-11-75—Circular No. 32/75 of the Bank allocating the responsibilities of senior officers of the Bank.

(Sd.)

K. SELVARATNAM, Industrial Tribunal

[F. No. L-12011/20/76-D.II A]

R. P. NARULA, Under Secy.

Note:—Parties are directed to take return of their document/s within six months from the date of the Award.

बिस मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 14 फरवरी, 1978

का० आ० 671—का० आ० 92(अ).—केन्द्रीय सरकार, स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) की धारा 109 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपनी यह राय होने पर कि ऐसा करना लोकहित में आवश्यक और समीचीन है, प्रमाणित स्वर्णकारों को, स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) की धारा 40 और 41 के उपबंधों

से, निम्नलिखित बातों के अधीन रहते हुए, नीचे विनिर्दिष्ट सीमा तक छूट देती है, अर्थात्:—

कोई प्रमाणित स्वर्णकार—

(क) मानक स्वर्ण छड़ों से, जिन्हें वह अधिनियम की धारा 42 के उपबंधों के अधीन अपने पास रखने के लिए अनुज्ञात है, आभूषण बना सकेगा, विनिर्मित कर सकेगा, तैयार कर सकेगा और विक्रय कर सकेगा; परन्तु यह तब जब उसके पास ग्राहक के आर्डर हों और उसने उन आर्डरों की प्रविष्टि विहित लेख में कर ली हो और उस लेख में ग्राहक का नाम और पता लिख लिया हो।

(ख) व्योहारों से भिन्न किसी व्यक्ति से एक समय में ऐसे आभूषण खरीद सकेगा जिनका कुल भार 35 ग्राम के अधिक न हो और उनका उपयोग आभूषण बनाने, विनिर्मित करने या तैयार करने के लिए कर सकेगा; परन्तु यह तब जब उसे (व्योहारियों से भिन्न) ग्राहकों से आर्डर मिल गए हों और उसने उन आर्डरों को, इसमें नीचे उल्लिखित बातों के अधीन रहते हुए, विहित लेख में दर्ज कर लिया हो:—

- (1) स्वर्णकार के पास कारबार परिसर हो और उसने ऐसे परिसर की विनिर्दिष्टियों की घोषणा उस स्वर्ण नियंत्रण अधिकारी को, जो केन्द्रीय उत्पाद-शुल्क निरीक्षक की रैंक से कम का न हो और जिसकी अधिकारिता की स्थानीय सीमाओं में वह स्थित है, कर दो हो और उक्त अधिकारी से उसकी प्रविष्टि स्वर्णकार प्रमाणपत्र में करा ली हो,
- (2) स्वर्णकार आभूषणों के क्रय और विक्रय के लिए, स्वर्ण नियंत्रण (प्ररूप, फ्रीस और प्रकीर्ण विषय) नियम, 1969 में विहित रीति में, लेखा रखेगा और वाउचर जारी करेगा,
- (3) अधिनियम की धारा 43 के उपबंधों के अधीन रहते हुए, स्वर्णकार अपने द्वारा घोषित परिसर के बाहर ग्राहकों के आभूषणों और चीजों की मरम्मत और पालिश करने के सिवाय स्वर्णकार का कोई अन्य कार्य नहीं करेगा।

[सं० फा० 131/5/78-स्व० नि० II एक 1/78]

फा० आ० 672.—फा० आ० 93(ख).—केन्द्रीय सरकार, स्वर्ण नियंत्रण अधिनियम, 1968 (1968 का 45) की धारा 39 की उपधारा (4) के खण्ड (क) के साथ पठित धारा 114 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, स्वर्ण नियंत्रण (प्रमाणपत्रों का प्रदान) नियम, 1970 में संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ:—(1) इन नियमों का नाम स्वर्ण नियंत्रण (प्रमाणपत्रों का प्रदान) संशोधन नियम, 1978 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. स्वर्ण नियंत्रण (प्रमाणपत्रों का प्रदान) नियम, 1970 में, नियम 3 में, खण्ड (ग) के पश्चात् निम्नलिखित खण्ड और स्पष्टीकरण अन्तः स्थापित किए जाएंगे, अर्थात्:—

“(घ) कोई ऐसा व्यक्ति जिसमें स्वर्णकार का पर्याप्त कौशल हो और जो किसी स्वर्ण नियंत्रण अपराध के लिए घबरा तस्करी के लिए दोष-सिद्ध या दण्डित न किया गया हो।

स्पष्टीकरण 1.—कोई व्यक्ति जिसने प्रमाणित स्वर्णकार के साथ कम से कम तीन मास की अवधि तक शिक्षा के रूप में कार्य किया है और जिसका नाम ऐसे प्रमाणित स्वर्णकार के प्रमाणपत्र पर पृष्ठान्तित कर दिया गया है, स्वर्णकार के पर्याप्त कौशल वाला समझा जाएगा।

स्पष्टीकरण 2.—इस नियम में, ‘स्वर्ण नियंत्रण अपराध’ से भारत रक्षा नियम, 1962 के भाग 12क, स्वर्ण (नियंत्रण) अध्यादेश, 1968 स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) या उनके अधीन बनाए गए किसी नियम या प्रादेश के उपबंधों का कोई उल्लंघन अभिप्रेत है।”

[सं० फा० 131/5/78-स्व० नि० II-सं० 2/78]

फा० आ० 673.—फा० आ० 94(ख).—केन्द्रीय सरकार, स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) की धारा 114 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, स्वर्ण नियंत्रण (प्ररूप, फ्रीस और प्रकीर्ण विषय) नियम, 1968 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इन नियमों का नाम स्वर्ण नियंत्रण (प्ररूप, फ्रीस और प्रकीर्ण विषय) संशोधन नियम, 1978 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. स्वर्ण नियंत्रण (प्ररूप, फ्रीस और प्रकीर्ण विषय) नियम, 1968 (जिन्हें इसमें इसके पश्चात् उक्त नियमों के रूप में विधिपूर्वक किया गया है) के नियम 11 में, खण्ड (1) के उपखण्ड (ग) के पश्चात् निम्नलिखित उपखण्ड (घ) अन्तःस्थापित किया जाएगा, अर्थात्:—

“(घ) वे प्रमाणित स्वर्णकार जो प्रमाणित स्वर्णकारों द्वारा आभूषणों के क्रय और विक्रय के सम्बन्ध में धारा 109 के अधीन दी गई छूटों का उपयोग करने का विकल्प करते हैं, प्ररूप सं० जी० एस० 13 में लेखा के अतिरिक्त, उक्त नियमों से संलग्न प्ररूप सं० जी० एस० 13क में एक पृथक लेखा रखेंगे।”

3. उक्त नियमों में, नियम 13 के पश्चात् निम्नलिखित नियम अन्तःस्थापित किया जाएगा, अर्थात्:—

“13क. प्रमाणित स्वर्णकारों द्वारा जारी किए जाने वाले वाउचर

(1) प्रत्येक प्रमाणित स्वर्णकार, जो स्वर्ण आभूषणों का क्रय या विक्रय करता है, प्रत्येक सव्यवहार के समय एक वाउचर जारी करेगा।

(2) प्रत्येक वाउचर में निम्नलिखित होगा—

(i) वाउचर की क्रम संख्या,

(ii) वाउचर जारी किए जाने की तारीख,

(iii) वाउचर जारी करने वाले प्रमाणित स्वर्णकार का नाम और पता,

(iv) उस व्यक्ति का नाम और पता जिसे वाउचर जारी किया गया है,

(v) क्रय या विक्रय किए गए आभूषण का दर्जन और उस आभूषण में अन्तर्विष्ट स्वर्ण का भार और शुद्धता,

(vi) वाउचर जारी करने वाले प्रमाणित स्वर्णकार के हस्ताक्षर, और

(vii) उस व्यक्ति के हस्ताक्षर जिसे वाउचर जारी किया गया है।

(3) प्रत्येक वाउचर को दो प्रतियों में तैयार किया जाएगा और उन्हें क्रमानुसार संस्थापित किया जाएगा; प्रत्येक वित्तीय वर्ष के लिए नई संख्यावली का प्रयोग किया जाएगा।

(4) वाउचर को दूसरी प्रति, प्रमाणित स्वर्णकार द्वारा प्रातिधारित की जाएगी और वाउचर की मूल प्रति उस व्यक्ति को दी जाएगी जिसे वाउचर जारी किया गया है।

(5) इस नियम में निविष्ट वाउचर, उस वित्तीय वर्ष की, जिससे कि वह सम्बन्धित है, समाप्ति के तत्काल पूर्ववर्ती कम से कम दो वर्ष की अवधि के लिए परिरक्षित किया जाएगा।”

4. उक्त नियमों के परिशिष्ट में,

(क) प्ररूप सं० जी० एस०-4 के स्थान पर निम्नलिखित प्ररूप रखा जाएगा अर्थात्:—

“प्ररूप सं० जी० एस० 4

[नियम 5(1) देखिए]

आवेदन पत्र प्राप्त होने की तारीख

स्वर्णकार के रूप में प्रमाणपत्र के लिए आवेदन-पत्र

(जो अक्षर, शब्द या पैरा सागू न हों उन्हें काट दीजिए)

शेवा में,

.....
.....

महोदय,

मैं (स्पष्ट अक्षरों में)-----
(कुलनाम पहले)

आपु-----पुत्र श्री-----निवास स्थान-----
निवेदन करता हूँ कि मुझे स्वर्णकार माने जाने का प्रमाणपत्र प्रदान किया जाए।

2. मैं स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) के उपबंधों का और उसके अधीन बनाए गए किन्हीं नियमों, आदेशों और निदेशों का तथा उस प्रमाणपत्र को जो मुझे दिया जाए, निषेधनों और शर्तों का पालन करने का करार करता हूँ।

3. मैंने प्रमाणपत्र के लिए 1 रु० फीस भरा कर दी है और उसके साक्ष्यस्वरूप में खजाना रसीद 6 की एक प्रति इसके साथ संलग्न कर रहा हूँ।

4. मैं 10 जनवरी, 1963 के ठीक पहले, एक वर्ष से अधिक समय तक स्वर्णकार के रूप में कारबार करता रहा हूँ।

अथवा

मैं श्री-----के कुटुम्ब का सदस्य हूँ, जो प्रमाणपत्र सं०-----धारण करता हूँ और मैं-----से, स्वर्णकार के रूप में उसके कार्य में उसकी सहायता करता रहा हूँ।

अथवा

मैं-----के श्री-----के कारीगर के रूप में काम करता रहा हूँ जिसकी व्यौहारी अनुज्ञप्ति सं०-----है और मैंने कारीगर के रूप में अपना पहचानपत्र अर्पणित कर दिया है।

अथवा

मैं प्रमाणित स्वर्णकार/कारीगर की संतान हूँ और अवयस्क नहीं हूँ। मैं ऐसा देश-प्रत्यावर्तित हूँ जो कि अधिनियम की धारा 2 के खण्ड (ज) में यथापरिभाषित व्यौहारी था।

अथवा

मैं श्री-----के अधीन, जो कि प्रमाणपत्र सं०-----वाला, प्रमाणित स्वर्णकार के रूप में प्रमाणपत्र धारण करता है-----से शिक्षा रहा हूँ और मैं इसके साथ यह वंशित करने वाला प्रमाणपत्र संलग्न कर रहा हूँ कि मुझमें स्वर्णकार का आवश्यक कौशल है।

5. मैंने स्वर्णकारों के पुनर्वास की किसी स्कीम के अधीन सरकार से कोई ऋण नहीं लिया है।

अथवा

मैंने स्वर्णकारों के पुनर्वास की स्कीम के अधीन सरकार से -----
को-----

रु०-----का ऋण लिया है जिसमें से-----रु० बकाया रहते हैं। मैं ऋण की इस बकाया रकम का, प्रमाण पत्र दिए जाने की तारीख से सात वर्ष के भीतर प्रतिसदाय करने का दबन देता हूँ।

6. मैं अपने (पासपोर्ट आकार के) फोटो की दो प्रतियां संलग्न कर रहा हूँ।

7. मैं इसके द्वारा घोषणा करता हूँ कि मेरी पूर्ण जानकारी और विश्वास के अनुसार, इसमें दी गई जानकारी सही और पूरी है।

आवेदक के हस्ताक्षर या अंगूठे का निशान

स्थान-----

तारीख-----

प्रमाणित किया जाता है कि पैरा 4 और 5 में दी गई विशिष्टियों का सत्यापन कर लिया गया है और वे सही हैं। आवेदक के पहचान चिन्ह निम्नलिखित हैं:—

(क)-----

(ख)-----

फोटो को मैंने अनुप्रमाणित कर दिया है।

तारीख-----राज्य सरकार के प्राधिकृत अधिकारी के हस्ताक्षर और पदनाम।

प्रमाणपत्र को जारी करने वाले समुचित अधिकारी द्वारा पारित आवेश।

हस्ताक्षर-----

पदनाम-----

तारीख-----

जारी किए गए प्रमाणपत्र की संख्या-----

प्रमाणपत्र दिए जाने की तारीख-----”

(ख) प्ररूप सं० जी० एस० 9 के स्थान पर निम्नलिखित प्ररूप रखा जाएगा, अर्थात्:—

“प्ररूप सं० जी० एस० 9

[नियम 6(3) देखिए]

रेंज-----

इलाका-----

स्थान-----

स्वर्णकार के रूप में पहचान के लिए प्रमाणपत्र

फोटो चिपकाने या पहचान

चिन्ह दर्ज करने के लिए स्थान

श्री-----आपु-----

पुत्र श्री-----निवास स्थान-----

-----ने विहित फीस 1 रु०

भरा कर दी है, अतः इनकी तारीख

-----19 से, स्वर्ण (निय-

न्त्रण) अधिनियम, 1968 (1968

का 45) और उसके अधीन बनाए

गए नियमों, आदेशों और निदेशों के

उपबंधों तथा इसमें आगे दो गई

शर्तों के अधीन रहते हुए, स्वर्णकार

के रूप में अधिज्ञात किया जाता है;

तथा यह प्रमाणपत्र इसके धारक के

जीवनकाल तक विधिवान्वय रहेगा, जब

तक कि उसे धारा 50 के अधीन या

धारा 39(4)(ख) के परन्तुक के अधीन पहले ही रद्द न कर दिया जाए।
विशिष्टतया निम्नलिखित बातों की ओर ध्यान आकषित किया जाता है, अर्थात्:—
इस प्रमाणपत्र से इसके धारकों को अधभूषणों के क्रय-विक्रय का कारबार करने का हक प्राप्त नहीं हो जाता है।

अथवा

इस प्रमाणपत्र से इसके धारक को धारा 109 के अधीन दी गई छूट के अन्तर्गत अधभूषणों के क्रय-विक्रय का कारबार करने का हक प्राप्त हो जाता है।

यह प्रमाणपत्र इसके धारक को उसकी वैयक्तिक हैसियत में दिया

(ग) प्ररूप सं० जी० एस० 13 के पश्चात् निम्नलिखित प्ररूप जोड़ा जाएगा, अर्थात्:—

“प्ररूप सं० जी० एस०-13क

[नियम 11(1) देखिए]

स्वर्णकार का नाम और पता.....

प्रमाणपत्र सं०.....

प्रमाणित स्वर्णकारों के क्रय और विक्रय का लेखा

बुक किया गया आर्डर

क्रय

विक्रय

क्रम सं०	तारीख	आहक का नाम और पूरा पता	अधभूषणों का विवरण	वजन ग्रामों में	वाउचर सं०	वजन ग्रामों में
1	2	3	4	5	6	7
स्टाक अतिशेष ग्रामों में						
वाउचर सं०						
वजन ग्रामों में						
मानक स्वर्ण जिसमें मानक स्वर्णछड़ के अवशेष भी होते हैं						
मानक स्वर्ण से भिन्न प्राथमिक स्वर्ण						
पुराने अधभूषण						
विनिमित्त नए अधभूषण						
आर्डर की क्रम सं०						
प्रतिष्ठि संख्या						
8		9	10	11	12	13

टिप्पण—1. जब कभी मानक स्वर्ण का क्रय किया जाय तो प्रतिष्ठि के सामने “मानक” शब्द लिख दें।

2. क्रय, विक्रय और बुक किए गए आर्डर के प्रत्येक संव्यवहार के लिए लेखे में पुष्प क्रम संख्या के साथ पुष्प प्रतिष्ठि की जाएगी।”

[एफ० सं० 131/5/78 जी० सी० II-सं० 3/78]

आदेश

का०आ० 674.—का० आ० 93(अ) केन्द्रीय सरकार, स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) की धारा 109 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपनी यह राय होने पर कि ऐसा करना लोक हित में आवश्यक और समीचीन है, प्रत्येक व्यक्ति को, उक्त अधिनियम की धारा 39 की उपधारा (1) के उपबंध के प्रवर्तन से इस सीमा तक छूट देती है कि किसी वस्तु या अधभूषण के बनाने, विनिमित्त करने, मरम्मत करने, तैयार करने और प्रसंस्कृत करने में प्रशिक्षण देने के प्रयोजन के लिए उसे शिक्षु के रूप में किसी प्रमाणित स्वर्णकार द्वारा इन शर्तों के अधीन रहते हुए, रखा या नियोजित किया जा सकेगा कि:—

(क) वह प्रमाणित स्वर्णकार, जिसके द्वारा ऐसे व्यक्ति को रखा गया है, अपने प्रमाणपत्र पर ऐसे व्यक्ति का नाम स्वर्ण नियंत्रण अधिकारी द्वारा पृष्ठांकित कराएगा;

(ख) पूर्वोक्त प्रमाणित स्वर्णकार एक समय में एक से अधिक व्यक्तियों को शिक्षु के रूप में नहीं रखेगा और न नियोजित करेगा; तथा

गया है और यह उसके पास रहेगा तथा किसी समुचित अधिकारी द्वारा मंगे जाने पर निरीक्षण के लिए पेश किया जाएगा।

समुचित अधिकारी के हस्ताक्षर
पदनाम

स्थान—

तारीख—

मोहर—

यदि कोई प्रमाणित स्वर्णकार किसी शिक्षु को प्रशिक्षण के लिए ग्रहण करता है तो ऐसे शिक्षु की विशिष्टियां प्रमाणपत्र में दर्ज करनी होंगी

प्रशिक्षण प्राप्त कर रहे शिक्षु की विशिष्टियां

क्रम सं०	शिक्षु का नाम	नामांकन की तारीख	अधिकारी के हस्ताक्षर
(1)	(2)	(3)	(4)

(ग) उस व्यक्ति को जिसे प्रशिक्षण दिया जाना है, किसी स्वर्ण नियंत्रण अपराध के लिए या तस्करी के लिए दोष सिद्ध या दण्डित नहीं किया गया है।

स्पष्टीकरण: इस आदेश में, “स्वर्ण नियंत्रण अपराध” से भारत रक्षा नियम, 1962 के भाग 12क, स्वर्ण (नियंत्रण) अध्यादेश, 1968, स्वर्ण (नियंत्रण) अधिनियम, 1968 (1968 का 45) या उसके अधीन बनाए गए किसी नियम या आदेश के उपबंधों का कोई उल्लंघन अभिप्रेत है।

[सं० 131/5/78 जी० सी० II-4/78]

मा० रामचन्द्रन, अपर सचिव

वाणिज्य मंत्रालय

आपूर्ता

नई दिल्ली, 4 मार्च, 1978

का. आ. 675.—शङ्ख-सम्पत्ति संशोधन अधिनियम, 1977 द्वारा संशोधित, शङ्ख सम्पत्ति अधिनियम, 1968 की धारा 3 द्वारा

प्रदत्त शीक्षार्थों का प्रयोग करते हुए, केन्द्रीय सरकार, श्री श्याम कृष्ण राय, अनु-सचिव, उत्तर प्रदेश सरकार, गृह, लखनऊ, के स्थान पर श्री अजय शंकर मिश्र, उप-सचिव उत्तर प्रदेश सरकार राजस्व विभाग, लखनऊ, को 3 अक्टूबर, 1977 से आगामी आदेश होने तक उत्तर प्रदेश के लिए शत्रु-सम्पत्ति के उप-अभिरक्षक के रूप में एतद्वारा नियुक्त करती है।

[फा. सं. 12(24)/73-ई. आई. एण्ड ई. पी.]

कै. पी. बालासुब्रह्मणियम, उप निदेशक

MINISTRY OF COMMERCE

ORDER

New Delhi, the 4th March, 1978

S.O. 675.—In exercise of the powers conferred by Section 3 of Enemy Property Act, 1968, as amended by the Enemy Property Amendment Act, 1977, the Central Government hereby appoints Shri Ajay Shankar Misra, Deputy Secretary, Government of Uttar Pradesh, Department of Revenue, Lucknow, as Deputy Custodian of Enemy Property for Uttar Pradesh vice Shri Shyam Krishna Rai, Under Secretary, Government of Uttar Pradesh, Home, Lucknow, with effect from 3rd October, 1977, until further orders.

[F. No. 12(24)/73-EI&EP]

K. V. BALASUBRAMANIAM, Dy. Director